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world. In their general scope, the sentiments we have expressed coincide with those of the most enlightened politicians and statesmen of Europe for fifty years past, as is proved by the extracts given in the present article from Ségur, De Pradt, and Favier, which might be multiplied, if necessary, to any extent. In our speculations on this subject, we have little or no credit to claim on the score of originality, nor have we ever presented them as anything different from what we deem them, that is, probable speculations and not certainties. The vague charge of exaggeration can of course only be repelled by an equally vague contradiction. If any real errors can be pointed out in our statements or reasonings, we shall be ever happy to acknowledge and correct them. It is easy to see the interested motives, which may lead a certain class of politicians to represent our views as tinctured with extravagance; but we submit it to their consideration, and that of the public, whether existing facts are altered by pretending to doubt their reality, or dangers averted by denying their existence. In this, as in most other cases, it would in our opinion be a safer course for the interested parties to look the danger full in the face, ascertain its precise character, and act accordingly. The disastrous consequences of pursuing a different policy may already be seen, if we are not mistaken, in the actual situation of some of the great powers of Europe.

ART. VIII.—*Life of Arthur Lee, with his Political and Literary Correspondence, and his Papers on Diplomatic and Political Subjects.* By RICHARD HENRY LEE. Boston. Wells & Lilly. 1829. 2 vols. 8vo.

LITTLE has yet been published, which illustrates the early diplomatic history of the United States. The subject of foreign alliances engaged the attention of the Old Congress almost at the outset of its deliberations, and agents were secretly and openly sent abroad for the purpose of obtaining intelligence, in regard to the views of people and governments in Europe, some months before the declaration of independence. These were followed by Commissioners to treat with France, and by

others to the courts of Vienna, Berlin, and the Grand Duke of Tuscany, and afterwards by Ministers Plenipotentiary to France, Spain, Holland, and Russia.

The first channel of communication between these agents in foreign countries and Congress, was a Committee appointed by that body, denominated the *Committee of Secret Correspondence*. The name was subsequently changed to the *Committee of Foreign Affairs*, but the duties powers, and objects of the Committee seem to have remained the same. This Committee had charge of the foreign correspondence till near the end of the war, when the *Department of Foreign Affairs* was instituted, and Robert R. Livingston appointed the first secretary. It was the custom, however, for all the despatches from abroad to be read before Congress, and the Committee had little to do, except to transmit to the ministers or commissioners the resolves and decisions of the House, with such intelligence as their means furnished, or their discretion dictated. Sometimes despatches were directed to the President, by whom they were handed over to the Committee, after having been read in Congress. It appertained to the Committee to write the answers. But all the letters from agents abroad were considered secret, and as the Old Congress held its sittings with closed doors, the reading of the letters to the members thus assembled was not deemed an act of publication. This course was prescribed by prudence and the nature of the topics discussed in the letters. It is true, that certain particulars would find their way out through the memory of individuals, and thence by an easy transition would appear in the newspapers, especially when they bore strongly on the interests of either of the great parties, into which Congress was divided during nearly the whole war; but for the most part the correspondence was actually kept secret, and nothing was published with the avowed approbation of Congress.

The official letters from our ministers and commissioners in Europe, during the revolution, are full of interest and historical value, abounding in facts and observations on the condition of European countries, rich in maxims of political wisdom, breathing a spirit of liberty, and showing that the authors understood, proclaimed, and defended the rights and just demands of their country, in a manner highly creditable to their talents and strength of character, as well as to their patriotism.

But the records of the Committee at home have little in them worthy of commendation ; they are meagre and jejune, carelessly written, and fertile in nothing. The fault is chiefly to be attributed, perhaps, to the organization of the Committee, which made it the duty of no particular member to answer despatches, and thus took the responsibility from them all. After Mr Livingston came into office, the foreign affairs took another and very improved shape. All despatches were directed to him personally, and he alone was charged with the answers. Nor was he required to bring any letters before Congress, although he was left at liberty to do it when he chose. The responsibility rested with himself. Cases of delicacy and difficulty he would of course submit to that body, preferring to be guided by their voice and instructions, rather than his own unaided judgment. This change in the management of foreign affairs was most salutary, and the same system continued to the end of the war.

Nothing is more rigidly guarded with the seal of secrecy, in the foreign offices of European cabinets, than the diplomatic papers, or correspondence of the ministers at other courts. This caution is necessary, where diplomacy is made a personal concern between sovereigns, and entrusted only to a few confidential ministers, whose business it is to be well practised in the tactics of their vocation, and to maintain the interests, and sometimes the caprices of their master, honestly if they can, but successfully at any rate, and into whose doings it is no part of the people's prerogative to inquire. But in a government like that of the United States, where the acts of every public man are subject to be brought out to the view of the nation, nothing can long be hidden under the veil of secrecy. The consequence is, that the despatches of our foreign ministers are written for the public, or at least with the conviction, that circumstances or events may one day place them before the eyes of the world. The writer is thus impressed with the importance of performing his task with circumspection, and to the full measure of his ability. Hence the artifices of intrigue, the gossip and scandal of courts, and frivolous details about the habits, foibles, or follies of individuals of high rank, which make so large a portion of a European ambassador's correspondence, find no place in the letters of an American diplomatist. These remarks apply with particular force to the

foreign revolutionary correspondence, because it was known that each letter would be read in Congress ; and it will be seen when these papers come before the public, that they contain a mass of the most valuable and authentic materials for a history of that period, which have yet appeared, not only in regard to the opinions and acts of our own statesmen, but to the politics of foreign nations.

Much will doubtless be gathered, also, in due time, from the memoirs and private papers of the individuals employed in the foreign negotiations. The Works of Dr Franklin have already added largely to the stock, notwithstanding the imperfect and ill digested manner in which they have been made public, and their manifest deficiency in some essential particulars. Still more widely will the field of knowledge be enlarged by the papers of Adams and Jay, who were several years absent in diplomatic stations of the highest responsibility. And in the work now before us, containing a large portion of the correspondence of Arthur Lee, we are made acquainted with facts little known before, respecting the early foreign relations of the United States, and the attempts to procure alliances and assistance. We propose in the present article to bring together a few hints on this subject, in connexion with such remarks as may be elicited by the work here mentioned.

Arthur Lee was a native of Virginia, born in the year 1740, educated first at Eton College in England, and afterwards as a student of medicine at Edinburgh. Under the eminent lecturers, who at that time filled the chairs in Edinburgh, he engaged with much ardor in various branches of study, both literary and scientific, and at length took the degree of doctor in medicine with a reputation high as a general scholar, and as a candidate for the profession in which he was about to embark. His skill in natural science was proved by a Latin essay on a botanical subject, which gained a prize over several competitors. His studies being completed, he made the tour of Germany and Holland, keeping a journal of the principal occurrences, which his biographer commends as bearing a favorable testimony to his habits of observation, judicious reflections, and happy talent at describing objects and events, that came under his notice. Designing to make his native country the theatre of his future residence and usefulness, he returned to Virginia, and settled as a physician at Williamsburg.

It required but a short experiment in this line, however, to convince Mr Lee, that in the choice of a profession he had mistaken the elements of his character, and the moving springs of his inclinations. The charms of science, pursued in its theories and facts, its beautiful systems and imposing results, had won his admiration, and kindled an enthusiasm, which for a time filled and satisfied his mind ; but the spell quickly disappeared, when he began to chain himself to the duties of a practising physician, in which fame and fortune were to be acquired by a process, as slow and uncertain as it was laborious and uncongenial. Little time was lost in deliberation ; he resolved to change at once the entire course of his pursuits, and betake himself to the study of the law. With this view he went to London, became a student in the Temple, and applied himself with all the energy and warmth of his character to his new vocation. Here his aspiring hopes had ample room for expansion ; all the motives and all the facilities for study were within his reach ; the spur of competition and rivalry was present with its quickening force ; the rewards of lofty purpose, vigorous effort, and high attainment, were before his eyes, and open to his grasp ; the society of eminent lawyers, statesmen, and scholars, contributed to enlarge his knowledge of men and things, at the same time it added a fresh impulse to his activity, and raised higher the standard of his ambition. The friendships which he formed, even while a student in the Temple, with such men as Burke, Dunning, Glynn, Dr Price, and Sir William Jones, are proof enough, that all these circumstances conspired with effect to press him onward, and bring him into a notice by no means common for a young man in that stage of his legal progress. But Mr Lee's mind was restless as well as active ; excitement was to him the *pabulum vitæ*, and he loved to ride in the storms raised by men's passions in the social and political atmosphere. The party violence, which ran so high at that time in Great Britain, gave him an opportunity of indulging this tendency of his disposition to its full extent, and in a cause to which he devoted all his powers.

The contest with the colonies had already begun to assume a serious aspect, and the friends of liberty on both sides of the water had taken a bold and determined stand against the threats of tyranny, and the encroachments of unlawful power.

Moved by a genuine and elevated patriotism, Mr Lee took the part of his native country with a zeal as untiring as it was ardent. He seemed animated by the same spirit in London, which so eminently distinguished his brother, Richard Henry Lee, in America, and before he arrived at the age of thirty he had done much, both by his writings and his personal exertions, to make the British public better acquainted with the interests of the colonies, their just claims, and their unalterable determination to maintain their rights and their liberties at any sacrifice. His *Monitor's Letters*, which were addressed to the people of the colonies, his letters signed *Junius Americanus*, and his *Appeal to the English Nation*, were circulated widely in Great Britain and America. He belonged to patriotic clubs, and wrote spirited and able Addresses, which went forth under the sanction of those bodies. These services made him known in his own country, and pointed him out as a suitable person to be entrusted with her interests. Dr Franklin had been some years in England, as agent for several colonies, and among others for Massachusetts. As early as the year 1770 the Assembly of Massachusetts appointed Mr Lee agent for the colony, to take the place of Dr Franklin whenever he should return; and although this event did not occur till the spring of 1775, yet Dr Franklin speaks with approbation of the aid he received from the assiduity and patriotic zeal of his countryman. After Franklin's departure, Mr Lee became the sole agent, and it was through him that the British Cabinet received the first authentic intelligence of the battle of Lexington.*

* All the papers relating to the transactions of that eventful day, comprising an address from the Provincial Congress of Massachusetts to the inhabitants of Great Britain, a letter to their agent, and the depositions taken at Lexington relative to the commencement of hostilities, were sent to England by Captain Derby, in a quick sailing packet despatched expressly for the purpose. Captain Derby landed at Portsmouth, went speedily up to London, and put the papers into the hands of Mr Lee. Meantime the news spread rapidly throughout the kingdom, and caused much perplexity and uneasiness in the minds of the ministry. They at first considered it, or professed to consider it, a false alarm, caused Captain Derby to be strictly examined, and endeavored to allay the excitement of the people by publishing through the proper organ, that this report could not be true, as no communication to that effect had been received from General Gage. In a few days, however, the ministry and the nation were relieved from sus-

From this date there was no longer any occasion for a colonial agent in London. All intercourse had ceased. The ties of union and friendship had been severed by the sword; the charter of freedom had been stained with the blood of its defenders, and its invaded sanctuary was now to be protected by other means, than unheeded appeals to truth and justice. Thus relieved from the duties of agent, Mr Lee devoted himself to practice at the bar, till his services were solicited in another direction. Soon after the assembling of the second Continental Congress, in September, 1775, a plan was agitated for opening a communication with persons residing in foreign countries, for the purpose of advancing commercial and political objects. In November the Committee of Secret Correspondence was appointed for this end, who were authorized to correspond with such persons as they might select in Europe, to procure as much intelligence as they could, respecting the designs and movements of the English government, as well as other foreign powers, and to aid the commercial enterprises of individuals. Dr Franklin was the first chairman of this committee. A letter, in an official form, was despatched from the committee by a confidential messenger, who was instructed to deliver it into the hands of Arthur Lee, in London, and another also of the same purport to M. Dumas of Holland, a friend of Dr Franklin's. In this letter the objects of the committee

pense, by the arrival of a British packet with the official confirmation. The next letter to General Gage contained a sharp reprimand for his tardiness, and an express order, that ever after a packet should be kept in readiness for the immediate transmission of important intelligence.

The papers were directed to Dr Franklin, but as he had already left England, they were delivered to Mr Lee, as his successor. The *originals* are now in the archives of Harvard University, where, with other papers of Mr Arthur Lee, they have been deposited by his biographer. The same gentleman has also deposited the papers of Richard Henry Lee with the American Philosophical Society at Philadelphia. This example merits praise and imitation. Papers retained in private hands, passing as they do from one possessor to another, are soon scattered and lost, or if not, they are comparatively useless; whereas, in the repository of a public institution they are regarded as a sacred trust, carefully preserved, and accessible for all purposes of utility and historical interest. Considering the fleeting nature of manuscripts of this sort, and the power of accident over them, no person could show more respect for the memory of an ancestor, than our author has done in the disposition he has made of the papers, that had fallen under his charge.

were briefly enumerated, and papers were enclosed, which Mr Lee was desired to have printed and circulated in England. He was told, that it would be agreeable to Congress to know the disposition of foreign powers towards them, as far as such knowledge could be obtained. Impenetrable secrecy was enjoined. Two hundred pounds were remitted to defray immediate expenses, and compensation for trouble was promised. He was requested to send despatches by an express-boat, when he should deem the intelligence sufficiently important.

Immediately after receiving this letter, Mr Lee applied himself to the task of executing the commission it contained. His political connexions gave him facilities for ascertaining the views of the ministry, and the preparations for conducting the war that was now actually begun in America. The intelligence, which he communicated respecting these subjects, was of essential service to Congress, for he was observing, inquisitive, and indefatigable.* He, moreover, found means to procure interviews with the French minister in London, who manifested an interest in the proceedings of the Colonies, and a desire to gain as much knowledge as possible respecting their present condition, intentions, and prospects, which he forwarded without delay to his court.

It is here to be observed, that, from the very commencement of a decided opposition in the Colonies, the Cabinet of Versailles had seriously deliberated on the course, which they should adopt in the approaching contest. No topic perhaps was ever more patiently or elaborately discussed, than this was by the French Ministry, more than a year before any symptoms appeared, from which their ultimate purpose could be inferred. It was soon discovered, that there was a difference of opinion among themselves; for while it was unanimously agreed, that England had taken an undue advantage of the embarrassed circumstances of France in the late treaty of

* His letters were usually entrusted to a confidential person, who was to deliver them with his own hand. They were without signature, and enclosed in an envelope with a fictitious address. They were commonly directed to Lieutenant Governor Colden of New York, who was a royalist. In case any accident had happened to the messengers, therefore, the letters would have been forwarded to him, without any suspicion of their true origin.

Paris, and that justice and policy prompted them to weaken the English power by all honorable means, yet there was a party, who could not at once be reconciled to the doctrine, that it was consistent with the faith of treaties for one nation to interfere in the domestic quarrels of another, and above all to lend direct support to revolted Colonies, already in arms against their sovereign. The king himself was one of this party. But Vergennes, and the prime minister, Maurepas,* took the lead of the opposite party, and were unequivocal in their opinion, that the interest of France required her to promote a separation between England and her American Colonies, and that this step would neither be a violation of the faith of treaties, nor at variance with the strictest justice. As the king and some of the ministers were to be brought over, or at least their scruples removed, it was found necessary to discuss the subject minutely, both in regard to the principles it involved, and its political bearings and possible issues. Memoirs were written by the respective ministers, read in council, and examined in detail. The great talents and learning of the eminent jurist, Pfeffel, and of the still more eminent publicist, Favier, were called into action on this occasion, and the papers they produced unquestionably had much weight in giving a more decided and uniform tone to the sentiments of the Cabinet. They were both on the side of Vergennes. The argument of Pfeffel was a masterly display of ability, knowledge, and reasoning. He supported his positions on the ground of equity, legal precedents, historical acts, and the laws of nations, and drew from the whole the general inference, that it was lawful and right for France to espouse the cause of the Colonies, in opposition to the authority and the arms of Great Britain.

By degrees the whole Cabinet came so far into these views, that it was resolved to make them the rules of their policy, and the guide of their future measures. But it was obvious, that a system like this, openly pursued, must bring about an immediate war with England. For such a result, neither the ministry nor the nation was as yet prepared. The only mode of executing the plan for the present, therefore, was to afford secret aid to the Colonies, and wait for the development of

* The biographer of Mr Lee calls Vergennes prime minister. This is a mistake; he was Minister of Foreign Affairs.

events, and till the finances, navy, and army were in a better condition, before a more decided step should be taken. While deliberating as to the best manner of sending such aid, and at the same time securing absolute concealment, intelligence was received from the French minister in London, that a secret agent of Congress was there, through whom their object might probably be attained. A person, who afterwards proved to be M. de Beaumarchais, was despatched by the ministry to London for the purpose of further inquiry. He visited Mr Lee at his rooms in the Temple, and informed him, that the court of France proposed to send two hundred thousand pounds sterling to the aid of the Americans in specie, arms, and ammunition, and that the only difficulty in the way was to ascertain through what channel the remittance should be made. St Eustatia, Martinique, and Cape François were mentioned, and it was finally concluded, that the Cape was the best place; and Mr Lee's visitant said the goods would be ready there, and might be received by inquiring of the commandant for *Monsieur Hortalez*. He moreover requested, that a small shipment of tobacco might be sent from some of the American ports to Cape François, by which the affair might take the color of a mercantile transaction, and thus suspicions be avoided. This arrangement was made in the spring of the year 1776, and, as soon as it was settled, M. de Beaumarchais returned to Paris.

Meantime the Committee of Secret Correspondence had sought a more extensive and substantial intercourse with Europe, and appointed Silas Deane to go to France as commercial and political agent. He sailed from Philadelphia on the fifth of March, in a vessel bound to Bordeaux; but as an accident happened to the vessel, he was obliged in a few days to return to the same port. He next embarked in a sloop for Bermuda, where he chartered another sloop for France, and arrived in Bordeaux on the sixth of June following. Here he expected to meet several vessels from America, which were to be sent out by the committee of Congress, with a view of supplying him with means to effect the mercantile objects of his mission; but nothing had been heard of them. Assuming the character of a merchant from Bermuda, he waited a few days at Bordeaux, but receiving no intelligence of these vessels, he proceeded to Paris, where he arrived the first week in July.

By his instructions he was to appear in Paris as a merchant, employed in purchasing goods for the Indian trade in America. He also had a letter of credence, as an authorized agent of Congress, which he was directed to present to the Count de Vergennes, in case he should succeed in obtaining an audience of that minister ; and on such an event, moreover, he was to say to the minister, that the Congress, finding it impracticable in the usual course of commerce to furnish the American forces with arms, ammunition, clothing, and other military supplies adequate to the defence of the country, had sent him abroad with authority to make application to some European power for these aids, and that France had been applied to, because, in case of a separation between Great Britain and the Colonies, France was the power whose friendship it would be most advisable to obtain and cultivate ; that the trade of the American Colonies was rapidly increasing ; that by securing their friendship, France might derive from them great commercial advantages, as England had hitherto done ; that what they now wanted was arms and clothing for twenty-five thousand men, ammunition, and one hundred field-pieces ; that they intended to pay for them by remittances to France, or through Spain, Portugal, or the French West India Islands, as soon as their navigation could be protected ; and that, finally, if these supplies should be granted, it might be well for them to be convoyed by two or three ships of war. If Count de Vergennes should be communicative on these topics, Mr Deane was to carry the conversation further, and touch gently upon certain political queries, such as what would be the views of France, if the Colonies should be driven to declare their independence, and set up a government of their own, whether France would recognise this government, receive ambassadors, and form alliances, and on what terms.

Armed with these instructions, and with his letter of credence in his pocket, Mr Deane went out to Versailles, having previously solicited an audience of the minister, through the intervention of M. Dubourg, a friend of Dr Franklin, and an eminent physician in Paris, to whom Mr Deane had brought letters. Count de Vergennes received him politely, and kept him through a conversation of two hours, listened attentively, asked many questions, and showed by his remarks and inquiries, that the subject was one to which he had already given

much attention. After Mr Deane had gone methodically through with the thread of his instructions, which he was encouraged to do by the manner in which the minister sustained the interview, Count de Vergennes replied, that the importance of the American commerce was well known, and that a friendly intercourse was equally advantageous to the Colonies and France, and it was for this reason, that the court had ordered the French ports to be opened equally to America and England; that, considering the subsisting relations between the courts of London and Versailles, no encouragement could be openly given to a traffic in warlike stores to be shipped to America, but that no obstructions would be interposed; that Mr Deane was at liberty to carry on any commerce he chose in the kingdom, and that he might consider himself under the immediate protection of the government; that, as to independence it was a subject enveloped in the darkness of the future, of which it was improper for him to speak, till such an event had actually taken place. He advised Mr Deane to continue for the present in the character of a merchant from Bermuda, and informed him that the British Ambassador knew of his being in Paris, and that his motions would be watched. After much conversation about the state of things in America, and telling Mr Deane that he might at all times hold intercourse with M. Gerard, the principal secretary in the foreign department, and with himself when anything of importance occurred, which should seem to require it, the interview ended.

Such was the tenor of the first conversation between an agent from the assembled American States and a European minister. It was Mr Deane's next task to look around for a credit, in the name of Congress, and endeavor to procure such articles as he wanted. He soon found this impracticable. Intelligence had arrived of the defeat of Montgomery at Quebec, and the disasters in Canada. The British Ambassador and other agents in France took great pains to spread the rumor of a speedy termination of all difficulties, by a reconciliation with the Colonies, and a restoration of order and harmony. With such prospects, no merchants nor capitalists could be found, who would give a credit to Congress, without adequate security from some established house in Europe. This security the American agent could not command. No remittances had yet been received from home, and the bills which he had brought

with him, as ready money, had in great part been protested and returned upon his hands.

In this state of perplexity he became acquainted with M. de Beaumarchais, who proposed to furnish the supplies, allow a reasonable time for payment, and take the risk of the security of Congress pledged by Mr Deane. As Beaumarchais was unknown in the commercial world, devoted rather to pleasure than to business, and more distinguished as a man of letters, than for any talents or resources in the mercantile or financial line, the friends of Mr Deane considered this a mere speculating enterprise, which M. de Beaumarchais could not carry through, and which would in the end lead them both into infinite embarrassments. Mr Deane had the precaution to consult the Count de Vergennes on the subject, who told him that no concern need be felt, as to the character and means of M. de Beaumarchais, and that he would unquestionably fulfil all his contracts and promises. Such a pledge rendered any further suspicion or delay unnecessary, and the proposals of Beaumarchais were accepted.

A list of articles was made out by Mr. Deane, which embraced clothing for twenty thousand men, thirty thousand fusils, one hundred tons of powder, two hundred brass cannon, twenty four brass mortars, with shells, shot, lead, flints, and the like, in proportion. These articles M. de Beaumarchais undertook to procure, and said he could purchase the cannon and mortars, and, he thought, some of the fusils, out of the king's arsenals, and could possibly obtain a credit of eight months, and perhaps longer. In the end, however, he was not so successful in this respect as he had hoped to be; for he could obtain only a small part of the fusils from the king's arsenals, being obliged to purchase them nearly all from private individuals. There was little difficulty or delay, however, in procuring from some quarter the articles enumerated in the list. The cannon and mortars were all from the arsenals.

The next point to be settled was the mode of shipping these supplies to America. A contract for this purpose was made by Mr Deane with M. Montheu, who was to furnish ships to transport the whole at a certain freight, for the payment of which M. de Beaumarchais became responsible. But their operations were continually beset with fresh difficulties. The cannon were mostly at Strasburg, and the other articles at

magazines in the interior. All these were to be conveyed to the seaports. Such a transportation could not be effected secretly ; and the moment they began to move, there were British spies everywhere ready to give notice to Lord Stormont, the English Ambassador in Paris, and thus to excite an alarm in the Cabinet at Versailles, where the greatest possible precaution was observed, that nothing should be openly done, which could give the least color of pretence to the British Ministry to charge them with a breach of treaty. Hence orders were issued to stop these articles, on their passage through the country, and then counter orders to let them move again, thus perplexing the agents and increasing the expense. And when all these embarrassments had been overcome, and the materials had been collected into the several ports of Marseilles, Nantes, Bordeaux, Havre, and Dunkirk, and the ships for receiving them had been got ready in those places, then new orders would come from court prohibiting their embarkation. Spies were stationed in these ports, who watched every movement, and sent constant intelligence to the British Ambassador at Paris. His hints to the ministry, and sometimes open remonstrances, caused this wavering conduct on their part, which brought the affairs of Deane and Beaumarchais into almost inextricable confusion.

Such was the aspect of things at the end of November, when Beaumarchais went to Havre, with the view of despatching two of the ships from that place. He succeeded in getting one to sea, the *Amphitrite* ; but his going there became publicly known, and before he could load and send off the other, orders arrived from court to stop them both, and the same orders were sent to the other ports. Nothing more could be done at present. The *Amphitrite* went to sea, but by reason of contrary winds and disputes among the passengers she put back to L'Orient. Another effort was made by M. de Beaumarchais, and he contrived to despatch this ship a second time, ordering her to be cleared out for the West Indies. She arrived at Portsmouth, New Hampshire, in the month of April following, and brought a most seasonable supply of ten or twelve thousand stand of arms, about sixty pieces of cannon, and a large quantity of clothing and blankets. They arrived very opportunely for the succeeding campaign. When the captain returned to France, he was imprisoned for violating

the tenor of his papers, by which he was cleared out for the West Indies.

It may be well to mention here a part of Mr Deane's conduct, which was much censured by Congress, and was indeed the origin of the hostility towards him, which gradually gained strength, and ended in his recall. Almost as soon as he arrived in Paris, he was beset by various persons in the military line, who wished him to recommend them to Congress for employment in the army, and he actually engaged a certain number, promising them specific rank and pay in the American service. Among this number were Lafayette and the Baron de Kalb, who were to have the rank of major general, to date from the time of their contract with Mr Deane in Paris. Such an assumption of authority was evidently as indiscreet as it was unauthorized, for it must inevitably derange the plans of Congress in regard to the army, and produce uneasiness and dissatisfaction in the American ranks. In justifying himself, Mr Deane did not pretend, that he had any direct authority for this measure, but said his own impression at the time was, that able and experienced officers from Europe would be of essential service in the American army; that, moreover, it was deemed important in France to send out such officers with the military articles; that he was solicited in strong terms from the highest sources to receive these officers; that the state of his affairs rendered the influence of friends and patrons in the elevated ranks absolutely essential, and that this was the most effectual mode of gaining it. This last cause he says was in truth the origin of his contracts with officers, which he supposed to be justifiable also on the other grounds here mentioned. The result created so much perplexity in Congress, discontent in the army, and ill feelings among the disappointed French officers, who came over, that the arrangement proved a very unlucky one, whatever may have been Mr Deane's reasons for making it; and not less unfortunate to himself than to others, for it weakened the confidence of Congress in his judgment, and excited a suspicion, that he might be induced to overleap the limits of his powers in other things with as little reluctance as in this.

The time had now arrived, when Congress, having declared the independence of the States, and established a separate government, began to think of seeking more intimate relations

with foreign countries. In the month of September, commissioners were appointed to proceed to France, as ministers from Congress, to propose a treaty of commerce with the French king, and solicit aids in carrying on the war. The first commissioners chosen were Dr Franklin, Silas Deane, and Thomas Jefferson. The appointment was declined by Mr Jefferson, and his place supplied by Arthur Lee. These commissioners met in Paris about the middle of December. The plan of a treaty had already been drawn up and adopted by Congress, which, together with the commissioners' instructions, was carried out by Dr Franklin. Congress enjoined secrecy on themselves in regard to this mission, and Dr Franklin's arrival in France was totally unlooked for, and excited much speculation in Europe.

The commissioners had an early interview with the Count de Vergennes, to whom they presented their commission, and the articles of the proposed treaty of commerce. Protection was promised to them, and a due consideration of their proposals. In a few days (January 5th, 1777,) they laid before the Minister a memoir, prepared at his request, and containing the substance of their instructions. By a resolution of Congress they were required to apply to France for eight ships of the line, well equipped and manned at the expense of the United States, and to be procured either by loan or purchase, as might best suit the French Court. This request was urged in the memoir, as also another for an immediate supply of twenty or thirty thousand muskets and bayonets, a large quantity of ammunition, and brass field-pieces. It was hinted, that unless some speedy assistance of this sort should be afforded, the United States might yet find themselves too weak for their enemies, and be compelled to bring the contest to a close by an accommodation. The extent and value of the American commerce, and its importance to France and Spain, were likewise set forth in their best attitudes, and proper arguments used to impress the whole in a forcible manner on the minds of the French Cabinet, and of Count d'Aranda, the Spanish Ambassador in Paris, to whom all the above communications were at the same time addressed. The Commissioners seem to have looked upon the interests of the French and Spanish Courts as the same, and to have considered themselves equally authorized to treat with both. In fact they were furnished with a gen-

eral power by Congress to treat with any foreign nation, in conformity with the outlines of the treaty and instructions which they had received for France.

The language of the Minister, in reply to their representations and requests, was nearly the same as had all along been held to Mr Deane ; that the relation in which his Most Christian Majesty stood to the king of Great Britain was such, that no approaches could as yet be made towards a treaty with the United States, nor any part taken in the contest, which should betray a want of fidelity to the principles of existing compacts ; that the king was friendly to the States, and would give them all the commercial privileges in his ports, which were enjoyed by other nations ; and that the commissioners might feel themselves under the protection of the government while in France, and communicate freely with the Ministers on the subjects relative to their mission.

Such being the tone of the French policy, it was evident to the commissioners, that for the present there would be no pressing duties which would require them all to remain in Paris. From certain indications they were led to believe, that a visit of one of them to Spain would be advantageous, and this suggestion was approved by the French Cabinet and the Spanish Ambassador. It was agreed, that Mr Lee should undertake this mission, and, having obtained his passports, and a letter from Count d'Aranda to the Spanish Court, he left Paris for Madrid on the seventh of February. After a short detention at Nantes and Bordeaux he proceeded as far as Burgos, within about a hundred and twenty miles of Madrid, where he was met by an express with a letter from M. Gardoqui, an eminent merchant of Bilboa, who was then in Madrid, and who had written to Mr Lee by direction of the Ministers. It appears that this visit from Mr Lee was unexpected by the Spanish Court, and that they were probably informed of it by a quick messenger despatched either by Lord Stormont to the English Ambassador in Madrid, or by the Count d'Aranda. At all events Mr Lee was desired not to come to the capital, as it would be impossible for him to remain there in disguise, and his presence would only tend to embarrass the Spanish Court without rendering any service to the cause of his country. This was said in allusion to the umbrage that would be taken by the British Ambassador, if it were known that a public agent

from America was in open intercourse with the government of Spain, and to the representations he would make to the English Ministry. M. Gardoqui, who was selected as the channel of communication, had been long concerned in the American trade, was well acquainted with the English language, and for these and other qualifications was pitched upon as a suitable person to carry into effect the immediate designs of the Spanish government, in regard to the affairs of America.

At Burgos Mr Lee was met privately by the Marquis de Grimaldi, one of the ministers of state, and M. Gardoqui. Here the American deputy was given to understand, that in the present state of things the king deemed it unadvisable for him to go to Madrid, that sound policy forbade such a step, and that on the whole it was best for him to retire to Bayonne, and wait the further decision of the Court. Mr Lee remonstrated against these suggestions, alleging that to receive him at Madrid was no breach of neutrality on the part of the Spanish government, that the British Ambassador there had no more ground of complaint at the reception of an American agent, than Lord Stormont had in Paris, where commissioners had been residing for several months with the entire approbation of the king of France, and that, in short, as his coming to Spain could not but be known in Europe as well as America, it would be ungracious to Congress, and injurious to their interests, for him thus to be prohibited from the Spanish dominions, more especially after he had been encouraged to undertake the journey by the French Ministers and the Spanish Ambassador in Paris. This remonstrance had no other effect, than to prolong his residence for a few days in Spain, but he was not allowed to approach any nearer the capital. On the contrary, he was desired to return to Vittoria, where he was again met by the Marquis de Grimaldi and M. Gardoqui, and where their further interviews were conducted with the utmost secrecy.*

Mr Lee presented a memorial to the Marquis de Grimaldi, describing the condition and prospects of the United States, and the nature and progress of the revolutionary contest in which they were engaged, and urging the importance to France and Spain

* The Marquis de Grimaldi told Mr Lee, that 'the Count d'Aran-da had been reprehended by his Court for not dissuading him from coming to Spain.' *Life, &c.* Vol. i. p. 359.

of embracing so favorable an opportunity to humble the power of England, and secure the friendship of a new nation, and the permanent benefits of its valuable and increasing commerce.* The reply of the minister was brief and explicit. 'You have considered your own situation and not ours. The war with Portugal (France being unprepared and our treasure from South America not yet arrived) makes it improper for us to declare immediately. These reasons will probably cease within a year, and then will be the moment.' It seems to have been resolved, however, before Mr Lee's arrival, to render secret assistance to the Americans, and the plan of effecting it was settled at these interviews. The result of the whole is thus expressed in Mr. Lee's own words, as recapitulated in a letter to Count de Florida Blanca. 'That for very powerful reasons his Majesty cannot at this moment enter into an alliance with the United States, nor declare in their favor; that, nevertheless, they may depend on his Majesty's sincere desire to see their rights and liberties established, and of his assisting them as far as may be consistent with his own situation; for that purpose the house of Gardoqui at Bilboa would send them supplies for their army and navy from time to time; that they would find some ammunition deposited for them at New Orleans, the communication with which would be much secured and facilitated by their taking possession of Pensacola; that their vessels should be received at the Havana upon the same terms as those of France; and that the Ambassador at Paris should have directions immediately to furnish their commissioners with credit on Holland. The Marquis added, that his Majesty would do these things out of the *graciousness of his royal disposition, without stipulating any return*, and that, if upon inquiry, any able veteran officers could be spared from his Irish brigades, the States should have them.' With this result of his negotiation, Mr Lee, in a letter to Congress, expressed himself well satisfied. 'As to an immediate declaration in your favor,' he observes, 'they say this is not the moment, and for reasons, which, if I might venture to commit them to paper, I think you would deem satisfactory. The same rea-

* Mr. Lee's biographer says that 'this memorial was composed by him in the Spanish language.' But this can hardly have been the case, since in writing to Congress Mr. Lee observes, that 'M. Gardoqui has been employed as interpreter in all our business.'

sons render an explicit acknowledgment of your independency, and a treaty of alliance with you, inadmissable at present.' The business of the meeting being thus finished, the Marquis de Grimaldi returned to Madrid, and Mr Lee, after making arrangements with M. Gardoqui to ship as soon as possible to the United States supplies of sail and tent cloths, cordage, blankets, and warlike stores, made his way speedily back to Paris, where he rejoined the other commissioners, after an absence of seven weeks.

This promise on the part of Spain was faithfully complied with, though perhaps not to so full an extent as Mr Lee was led to hope. More than one shipment was made by M. Gardoqui of articles procured by him, at the expense of the government, and secretly despatched to confidential agents in the United States for the use of Congress. In addition to these supplies, the amount of money actually remitted to Mr Lee was three hundred and seventy-five thousand livres. This money was nearly all expended in Spain for the purchase of supplies, which M. Gardoqui shipped by Mr Lee's order to the United States. The money, and the goods sent by Gardoqui exclusive of these purchases, were a gratuity from the king of Spain, for which it was understood at the beginning that no return was to be made. During Mr Lee's absence, Dr Franklin had received from Congress a commission conferring on him separate powers as a commissioner to the Spanish Court, and authorizing him to enter into a treaty with that government, or make any arrangements that should promote a friendly intercourse, and advance the great ends of the war. As Mr Lee's mission had accomplished everything that could be expected at present, Dr Franklin did not go to Spain. It has been said, that more than a year previous to Mr Lee's mission, Spain had sent a million of livres to France for the Americans, but we have seen no proof of such a fact, nor do we think it probable.

The commissioners in Paris continued to busy themselves in getting off as secretly as possible the supplies, which had been furnished by Beaumarchais before their arrival, and they gradually effected the shipment of the whole, as well as a large quantity which they contrived to purchase in other quarters. The French ministry winked at these transactions, but occasionally threw obstacles in the way as heretofore, when the

English Ambassador remonstrated or complained. Meantime the American cruisers, who hovered around the English coasts, and in the neighboring seas, began to bring their prizes into the French ports. This created fresh difficulties, as it was a manifest encroachment on the rules of neutrality. Some of these prizes were seized and sold by direction of the government, others were ordered off, and others again were detained for legal adjudication. The ministers expressed dissatisfaction at the boldness and unceremonious conduct of these cruisers, and the commissioners were infinitely perplexed with the novelty and variety of the cases, that were almost every week occurring, as they wished, on the one hand, to aid as far as possible the enterprise and activity of privateers in harassing the enemy's commerce, at the same time that every motive of policy and interest required them to study the disposition and conform to the will of the Court. Indulgences were sometimes granted in a concealed manner, and orders of release obtained, but the system of adhering in all open transactions to the letter of the treaties continued, till a war with England was understood to exist. Nevertheless, assistance of a substantial kind was afforded. Soon after the commissioners arrived in Paris, they were informed that two millions of livres would be appropriated to the use of Congress, and paid in Paris by quarterly instalments of five hundred thousand livres each. The first payment was advanced immediately. This money the commissioners resolved to reserve for the exclusive purpose of paying the interest of the loan in the United States, occasioned by the emission of paper money, and they wrote to Congress that bills might be drawn on them from time to time for this purpose, to the full amount of the money thus granted by the French king. By this prompt payment of interest they hoped to keep up the credit of the currency. A large portion of this money was, however, diverted to other objects. Their own expenses they expected to discharge by the proceeds of cargoes to be sent by Congress to France.* This

* The salaries of the commissioners were not limited to any specific sum. Congress resolved merely, that 'they should live in such a style and manner as they might find suitable and necessary to support the dignity of their public character,' and that their expenses should be reimbursed by the United States; and also, 'that besides the actual expenses of the commissioners, a handsome allowance should be made to each of them, as a compensation for their time, trouble, risk, and services.'

was the understanding when the commissioners were appointed, but owing to various obstacles at home, and the obstructions of navigation, very few such shipments were successful, or even attempted. The commissioners increased their resources, also, by a contract with the Farmers-General for Congress to send them five thousand hogsheads of tobacco, they agreeing to pay for the same one million of livres in advance, and another million as soon as the first ships with tobacco should arrive. With these funds they purchased an additional stock of military supplies, and began to build a frigate at Amsterdam, and another at Nantes. They were authorized by Congress to borrow two millions of pounds sterling in Europe, but they found no means of effecting any part of this loan.

Such were the general operations of the commissioners during the first year of their residence in Paris. They lived there in the character of individuals acting as agents in public affairs, but not recognised by the government as holding any public capacity.

It had been early intimated to the commissioners, that the king of Prussia was favorably inclined to the interests of the United States, and that, if applied to, he would probably receive an agent at Berlin, as the French Court had done at Paris. They had a correspondence on the subject with the Baron de Schulenburg, one of the ministers of state, in which they informed him, that it was the intention of Congress to send a minister to the Prussian Court to solicit its friendship and good offices; but as considerable time must elapse before this could take place, and as it was of great importance to establish quickly a free commerce between the two nations, they proposed that one of their number should proceed very soon to Berlin, who might explain personally the situation of America, and the advantages to be derived to Prussia from an amicable and commercial intercourse with that country. It was agreed that Mr Lee should go on this mission, and he wrote accordingly to the Prussian minister, that he should soon commence

The average expense of each commissioner was about £3,000 sterling (\$13,333) a year.

In October, 1779, the salary of a minister was fixed at £2,500 sterling (\$11,111), and that of a secretary of legation at £1,000 (\$4,444.)

In May, 1784, the salary of ministers was reduced to \$9,000, and that of secretaries to \$3,000 per annum.

the journey. In the minister's reply, he discouraged this step, advising that it should be deferred for some time, that he apprehended many difficulties in the way at present, and that he considered their correspondence rather as 'preliminaries to what might come to pass, than as negotiations from which any immediate advantages could be expected.' Before this letter reached Paris, Mr Lee was on his way, and, taking Munich and Vienna in his route, he arrived in Berlin unexpected by the minister, who expressed some surprise that he should come without knowing beforehand whether it would be agreeable to his Majesty. He informed him, however, that there could be no objection to his remaining there as a traveller and a private individual; that he should be pleased to learn from him whatever he had to propose, and discuss freely any topics of interest relating to his mission. The king was then absent reviewing his troops.

The immediate objects of Mr Lee's visit were these. First, to ascertain whether a minister appointed by Congress would be received at the court of Berlin; secondly, to concert measures for establishing a regular commerce between Prussia and the United States; thirdly, to endeavor to gain admission for American cruisers into the Prussian ports for the purpose of careening, supplying themselves with necessaries, and disposing of their prizes; fourthly, to obtain aids in artillery, arms, and money, on the same footing as in France and Spain; fifthly, to intercede with the king to use his interest in preventing any further accession of recruits to the German forces already in the employment of England. The minister entered into a correspondence with Mr Lee on these points, the substance of which was, that although the king had the best disposition towards the United States, the time had not yet come for any definite arrangements, implying a concert of interests or movements between the two countries. As to admitting a public agent, M. de Schulenburg observed that the king had considered it, and resolved to the contrary, having 'pledged his honor to the king of Great Britain not to interfere in this dispute.' In regard to commerce, he believed many advantages might be derived from it when once established, but there were insurmountable difficulties in the way of beginning it in the present state of affairs; the Prussian sailors were unacquainted with the navigation, the merchants had no vessels suited to such voyages, insurance could not be easily effected, and not at all,

except at a high rate. The proposition for admitting privateers could not be listened to, because such an act would tend to embroil his Majesty with the Court of London, which was repugnant to his interest and his principles; and, moreover, it would create embarrassment and confusion in his Majesty's ports, where none but merchant vessels had ever been received, and the officers were unacquainted with the usages appertaining to ships of war and privateers; it would be soon enough to consider this subject, when it was ascertained what course France and Spain would pursue, the formalities adopted by them, and their mode of explaining the admission of American privateers into their ports, consistently with the professed bonds of friendship existing between them and Great Britain. Again, as to granting aids in arms, munitions of war, or money, the objections last enumerated were equally strong against this proposition. And, finally, the contract of the German princes to hire their troops to the English was an affair, in which the king had no right to interfere directly, but he disapproved it, and should throw such discouragements in the way of its execution, as circumstances would admit. In short, the sum total of Mr Lee's negotiations was, that his Majesty the king of Prussia was very willing to see the Americans succeed, but in his present condition, having before him the threatening prospect of a war with a powerful enemy, it was absolutely necessary for him to keep on terms with England, and that there was not the least hope of his being induced to sanction any act or measure, which should bring into question his rigid adherence to the principles of his alliance with that power. The minister desired Mr Lee, however, to continue his correspondence, assuring him that it would be gratifying to the king to receive all the intelligence which could be obtained, respecting the progress of events in America.

Although Mr Lee appeared in Berlin as a private individual, yet his official character as commissioner in France was known, and of course the presumption was, that he was detained by something more than a traveller's curiosity in that capital. It was natural, that the British Ambassador should wish to penetrate the designs of so suspicious a visitant. A singular proof of this desire occurred not many days after Mr Lee's arrival. While he was at dinner, some person unknown contrived to get into his chamber, break open the desk, and carry off his papers. As soon as the discovery was made, he applied to

the police, and several depositions were taken, which fixed the theft with great probability on a servant of the British Envoy. Some degree of alarm being raised by this process, the papers were secretly brought back in half an hour after the loss was discovered, and laid down at Mr Lee's door. The matter was referred to the minister and the king, but it was not a case which required the formal notice of the government, particularly as Mr Lee was not recognised as acting in any public capacity.*

After five weeks' residence in Berlin, Mr Lee returned to Paris. In his future correspondence with Schulenburg, which continued for more than a year, he communicated constant intelligence of the military operations in America, and the doings of Congress, with which the Prussian minister assured him the king was highly pleased. No intimations were given, however, that any of the objects solicited by the American commissioner would be granted. On one occasion, it is true, the Prussian diplomatist went so far as to say, that 'his Majesty would not be the last power to acknowledge the independence of the United States,' and on another, that 'he would not hesitate to acknowledge it, whenever France, which was more interested in the event of the contest, should set the example.' These proved only to be words of form. They were not verified in time to be of any service to the United States. One privilege Mr Lee gained, or what he thought to be a privilege at the time, though it turned out a dear one in the

* Our author says, that the British Envoy was recalled at the request of the king of Prussia, in consequence of his agency in this affair of the papers. But this wants proof.

In the year 1800, Mr John Quincy Adams met this same Envoy at Dresden, of whom he speaks as follows in relation to this subject.

'After observing that it was now a circumstance, that might with full freedom be talked of as a mere historical occurrence, he solemnly declared, that the seizure of Mr Lee's papers was not made by his orders; that it was entirely the act of an officious servant, who thought to do him a service by it; that when the papers were brought to him he did look them over indeed, and found among them only two of any consequence; one the draft of an unfinished treaty with Spain, and the other a letter from Frederic the Second, or one of his ministers, promising that if any great power in Europe would set the example of acknowledging the independence of the United States, he would be the first to follow it. I am inclined to believe that this account is true, and I was pleased to see the anxiety with which Mr E. wished to remove the imputation of having premeditated that act of violence.'—*Letters on Silesia*, p. 258.

end. More than a year after he left Berlin, the Baron de Schulenburg wrote to him, that he might purchase arms and fusils of the government manufactories, and sent him prices of various articles. Mr Lee ordered the purchase of eight hundred fusils, which were shipped by way of Hamburg to Bordeaux. Upon inspection they proved to be 'of the worst and most ordinary workmanship imaginable.' Mr Lee considered himself imposed upon and defrauded by the agents in this transaction, and wrote back a letter to the minister, couched in terms of no little severity, and demanding redress from the manufactories. Whether from its tone, or from whatever cause, the letter was not received very graciously, and M. de Schulenburg replied, that the fusils were not known to be of an inferior quality, and the mistake, if there was any, had originated in the vagueness of the order. Different kinds of fusils were manufactured at the king's armories, and that kind had been sent, which the order would seem to indicate. Thus terminated Mr Lee's correspondence with the Court of Berlin, and this purchase of the fusils was the only act of effectual intercourse between the United States and the Prussian government during the revolution.

At length, on the fourth of December, arrived in Paris the news of the defeat of Burgoyne, and the taking of Philadelphia by General Howe. Hitherto the French government had carefully avoided connecting itself, either in substance or form, with the destiny of the United States. The Court, up to this moment, had pursued a cautious, hesitating policy, wavering in all its overt acts, and steady only in its desire to weaken the power of England by promoting a final separation of the Colonies. There were three strong reasons, which produced this apparent backwardness on the part of the French Cabinet to take up in earnest the cause of the United States. The first was a doubt, as to the actual state of opinion and feeling in this country, and a fear that there still existed a powerful interest in favor of England, which would ultimately show itself in an accommodation, and thus leave France in the ridiculous posture of having prematurely abetted a cause, involving her in a war with her rival, which a reasonable share of foresight and caution would have prevented. Again, it was necessary to act in concert with Spain, and this power had been cold and reserved from the beginning, utterly averse to recognising American independence, and in no way inclined

to take an active part in the dispute. And, lastly, France herself was not prepared for war, and more time was wanting to put her in a condition to meet the consequences of an avowed alliance with the revolted subjects of the king of Great Britain.

The force of these reasons is obvious; but the series of events in Europe, and the recent intelligence from America, had so much changed the aspect of affairs, and opened such prospects for the future, that the Cabinet of Versailles immediately resolved to run the hazard of uniting in a common interest with the United States, by acknowledging them as an independent power, and by guarantying this independence against the claims and force of England. The results of the last campaigns in America had afforded a proof of the spirit, determination, and physical resources of the people, and weakened, if not removed, the doubts of the French Court on this head. At this crisis they lost no time in signifying to the commissioners their readiness to commence negotiations on the principles of the treaty, which had been drafted by Congress, and which had lain quietly in the Count de Vergennes' bureau since it was first presented by the commissioners, nearly twelve months before. When the news of Burgoyne's defeat and of the battle of Germantown arrived at Passy, a messenger was immediately despatched with these glad tidings to Versailles. Two days afterwards M. Gerard, principal secretary to the minister of foreign affairs, called on the commissioners at Passy for the purpose, as he said, of congratulating them in the name of the ministers on the recent successes in America, and to acquaint them with the wish at Versailles, that they would renew their former propositions for an alliance, and add anything new, which they had to offer on the subject. The commissioners accordingly sent a memorial, merely referring to what they had done on their first arrival in Paris, and petitioning that the plan of a treaty, which they had then handed in, might be taken up and considered.

The time of a conference was fixed upon by the Count de Vergennes, and on the twelfth of the month they met this minister and M. Gerard secretly at a private house about half a mile from Versailles. After some general conversation and compliments on the state of affairs in America, Count de Vergennes remarked, 'that nothing had struck him so much as General Washington's attacking and giving battle to General

Howe's army; that to bring an army raised within a year to this, promised every thing.' The allusion here is to the battle of Germantown, which, although a discomfiture, contributed more perhaps to impress people in Europe with the true sense and tone of public opinion in America, than any other event of the revolution, and for the reason mentioned by the Count de Vergennes. The conference was opened by the minister's asking the commissioners what they had to propose; to which Dr Franklin replied, that the object in view was to enter into a treaty, and if there were any objections to the one that had been forwarded by Congress, they were now ready to consider them. Count de Vergennes then said, 'that it was the resolution of his Court to take no advantage of our situation, to desire no terms which we might afterwards repent of and endeavor to retract; but to found whatever they did so much upon the basis of mutual interest, as to make it last as long as human institutions endure; that entering into a treaty with us would be declaring our independence, and necessarily draw on a war; in this, therefore, Spain must be consulted, without whose concurrence nothing could be done.' He then proceeded to state some objections to parts of the proposed treaty, which were discussed, elucidated, and explained by the commissioners. In this way the principal articles were brought under review, and the ideas of the two parties were more clearly understood by each other. As they now had under notice only a treaty of amity and commerce, in which both parties aimed at exact reciprocity, professing to give a precise equivalent for what they received, and for the most part in similar kind, there could not be much difficulty in agreeing on the terms of this mutual exchange of benefits, particularly after the explicit, if not magnanimous declaration, with which Count de Vergennes opened the conference. In closing the interview the minister observed, that nothing could be concluded till they should hear from Spain, that a courier would be despatched to Madrid immediately, who would be back in about three weeks, when a speedy termination of the affair might be expected. This interview was the only one that the commissioners had with the minister on the subject of the treaty. It was subsequently managed on the part of France entirely by M. Gerard.

The interval between the departure and return of the courier was occupied by M. Gerard, in preparing a form of a

treaty to be offered by the French Cabinet. At length, on the eighth of January, another interview took place at Mr Deane's lodgings in Paris, where M. Gerard met the commissioners. The courier had returned ; Spain, as usual, still clung to her policy of delay and reserve ; she could not enter into a treaty ; she was not prepared for war ; her ships with treasure from South America had not come in ; and her affairs with Portugal were not yet arranged. The French Court, having thus, as the intimacy of their relations required, proposed to the Spanish king to unite with them in this work, and he having declined, were resolved to complete it on their own part without delay, securing to Spain by a separate article the right of joining the compact when she should choose, on the same conditions as France. This being determined upon, they were now ready to take up the negotiation and complete the treaty. At this interview, therefore, M. Gerard came at once to the point, and asked the commissioners some direct questions as to the terms of a treaty, which would satisfy them of the attachment of France to the cause of America, and which would convince the people of the United States so firmly of this attachment, that they would not listen to any propositions of reconciliation from England ; and as to the assistance, which it would be necessary for France to afford them. The discussion of these somewhat vague preliminaries was the only progress made at this conference.

On the eighteenth another meeting was held at Mr Deane's house, when M. Gerard produced a copy of the treaty of amity and commerce, as drawn up by himself ; and also read to the commissioners another instrument, purporting to be an eventual treaty of alliance offensive and defensive ; that is, a treaty which was to take effect in case the other should bring on a war between France and England. This treaty seems not to have been suggested nor anticipated, either by Congress or the commissioners. It contained a mutual pledge of the two parties to unite their forces, should a war with England be the consequence of the treaty of amity and commerce, a guarantee on the part of France to maintain the liberty, sovereignty, and independence of the United States, and a further pledge that neither party would make peace without the consent of the other. This treaty was to be kept secret, and to be without effect, till war should actually commence between France and England. From this it will be seen, that the

French professed still to hold out to the world, that a treaty of friendship and commerce was no just cause of war to Great Britain, but that they were not inclined to run the risk of such an event, without linking the fortunes of the United States more closely with it than could be done by a treaty of that description alone. And, indeed, this was not more politic than just; for upon the principles of reciprocity, which were the basis of all the negotiations, the United States were bound to share equally the consequences which should grow out of these arrangements, designed for the mutual advantage of the two parties. In truth, the features of the eventual treaty of alliance were clearly more favorable to the United States than to France, inasmuch as the power and influence of the latter were at that time of incalculable importance to the former. Considered prospectively, a view that an enlightened statesman will always take of so momentous a subject as a treaty between nations, the advantages doubtless approached more nearly the line of reciprocity. But we dismiss this discussion, as our object is rather to sketch a brief history, than to examine into principles or policy.

M. Gerard left a copy of both the treaties with the commissioners, for them to consider and deliberate upon at their leisure. Nine days afterwards, M. Gerard met them again, the commissioners having occupied the intervening space in examining the treaties, discussing various parts, and in preparing alterations in some of the articles. At this conference with the French secretary, a thorough revision was gone through with, some of the suggested alterations adopted and others not, and when the parties separated, the treaties were understood to be ready to be submitted to the king, and transcribed for their final signature. They had no more interviews till the sixth of February, when they met and signed the two treaties, as they were afterwards published to the world.

The French minister made two or three essential changes in the draft sent out by Congress. In one article of that draft it was stipulated that no duty should be imposed, in the French West India islands, on molasses shipped to the United States. This was objected to as a privilege without an equivalent. Another article required that no higher duties should be laid on any articles in the French islands, which were shipped to the United States, than the lowest imposed on the same articles sent to France. This was objected to as being contrary to the

colonial policy and usages of France. Again, France was prohibited from invading or attempting to possess Labrador, New Britain, Nova Scotia, Acadia, Canada, and Florida, or any of the islands on the North American coast, as these were presumed to come within the jurisdiction of the United States. France could not perceive the ground of this claim, and the article was omitted.

As the article about molasses made a good deal of noise at the time, it claims a brief notice. Molasses had already become an item of extensive commerce between different parts of the United States and the French West India Islands. As it was one of the absurd features of the European colonial policy to lay heavy impost duties on articles shipped from the colonies, and particularly on such articles as were favored with what was deemed the high privilege of being shipped to a foreign port direct, without first entering some harbor in the mother country, and there undergoing a double tax in the shape of an impost duty, Congress thought this a good opportunity to get rid, as far as they could, of a restriction which might be in some degree detrimental to our West India commerce. Hence, they put into their treaty the article against the duty on molasses. When this came under discussion, Count de Vergennes observed, that it did not accord with the reciprocal principles of the treaty; that a privilege was demanded, but nothing offered in its stead. The French suggested, that, if it was thought necessary to retain this article, the equivalent might be an exemption from duty on all the tobacco shipped from the United States to any part of the French dominions. The commissioners were at first inclined to accede to this proposition, but, upon further deliberation, it was believed to be more than an equivalent, and Dr Franklin suggested that they should substitute for it an exemption from duty on all merchandise shipped directly from the United States to the molasses islands. This seemed to come nearer the mark; and though Mr Lee still thought it too much, it was finally agreed to by all the commissioners, accepted by the French negotiator, and inserted in the treaty as a distinct article designed to balance the other.

During the discussions, M. Gerard repeatedly said, that it was a matter of perfect indifference to the king whether these two articles stood or not; but if the one proposed by Congress were retained, the other must likewise be added. Dr Franklin and Mr Deane were both in favor of them, on the principle

that the molasses trade was important to the United States, and daily increasing, and that it was desirable to secure it against any shackles that might impede its success. It was supposed, that the French might one day conceive the project of introducing the extensive use of their brandy into the United States, by laying so heavy a duty on molasses that the price of rum would be enhanced beyond that of brandy. Again, Dr Franklin's notion was, that it was quite impossible for the United States ever to be so blind to their interest as to dream of laying a duty on exportation, and, therefore, the article prohibiting duties on merchandise shipped to the French islands was a nullity, in all its practical effects on the American commerce, whereas it was a part of the French policy to burden their colonial trade with export duties. Hence, by this article, without any sacrifice on our part, we should secure a probable benefit to ourselves from the other. 'To lay duties on a commodity exported,' he said, 'which our neighbors want, is a knavish attempt to get something for nothing. Commerce among nations, as well as between private persons, should be fair and equitable, by equivalent exchanges and mutual supplies.' Moreover, should countervailing duties be laid by both sides in the present case, the equivalents would be as nearly equal as possible; since hardly anything was imported from the islands in question but molasses, and of course the whole amount of articles exported to them would be equal in value, or nearly so, to the molasses brought away. But Congress, and the people generally, saw the thing in another light, and thought it was a restriction upon the freedom of trade, or rather upon the liberty of the government to exercise a control over every branch of commerce according to the exigency of circumstances, which ought not to be admitted into a formal instrument binding the will of the nation. When the treaty was ratified, these articles were almost unanimously rejected by Congress; and as the French government had no wish to have them retained, they were expunged from the treaty by mutual consent.*

* It seems that some of the American merchants claimed an exemption from the duties on molasses in the French islands, on the strength of those clauses of the treaty, before it was known that they were not ratified. On the 15th of September, 1780, the Chevalier de la Luzerne, French Minister in Philadelphia, wrote to Congress as follows;

It was not long after the signing of the treaty before Mr Deane heard of his recall, and he returned to the United States with M. Gerard, the first French minister to this country, in Count d'Estaing's fleet, which entered the Delaware river in July, after a very long passage from Toulon of nearly three months. Mr John Adams was Mr Deane's successor, and he joined his colleagues in Paris. The principal business of the commissioners now was to send out such military supplies as they could procure, and to manage the marine affairs in the different French ports entered by American vessels, the fitting out of privateers, sales of prizes, adjudication of contested cases, and, in short, all the duties usually devolving on consuls and mercantile agents. This was less difficult than before the treaty, for there was no longer any occasion for concealment or disguise. Lord Stormont had quitted Paris, his spies had disappeared, and war between England and France actually existed in all the essentials but a formal declaration. The French government granted a loan of three millions of livres to Congress immediately after the treaty, which afforded an important temporary relief, and enabled the commissioners to meet the drafts, which came upon them rather heavily from home.

In May, 1777, Mr William Lee and Mr Izard were appointed by Congress commissioners, the former to the courts of Vienna and Berlin, and the latter to that of the Grand Duke of Tuscany. They held these appointments about two years, Mr Izard residing the whole of that time in Paris, not being encouraged to seek the Grand Duke by any prospect of being received in his public capacity. Mr William Lee resided partly in Paris and partly at Frankfort, in Germany, giving notice to the court of Berlin that he was ready to appear there, when

‘I have received the declaration hereto annexed, with orders to communicate it to Congress. Some American merchants, not knowing that the eleventh and twelfth articles therein mentioned have been annulled, have demanded an exemption from the duties, which are paid in the French West India islands on the exportation of molasses. An authentic publication of the treaty will remove all doubts which may remain, touching the payment of this duty, which the subjects of his Majesty themselves are liable to pay.’

This proves what has sometimes been denied, that there was a duty existing on molasses at the time the treaty was made. Indeed, one of Mr Lee's arguments against the additional article was, ‘that there appeared no necessity for restraining the impost upon an article, *which was never likely to have any duty laid on it.*’ Vol. I. p. 383.

his Majesty should signify his pleasure to receive an American commissioner. As this time never came, Mr Lee was not called on to exercise the direct functions of his mission, till it was revoked by Congress. These gentlemen were both in Paris when the treaties were made, and, not well satisfied that they should not be admitted to the consultations, particularly on the molasses article, to which Mr Izard showed a remarkable hostility, Mr Arthur Lee proposed to give them a voice in the matter; to which Franklin and Deane objected, both because they had no authority in regard to the treaty, and because the pledge of secrecy, granted to M. Gerard on their parole of honor, took away from the commissioners the power of communicating their proceedings to any other person.

Dr Franklin was appointed minister plenipotentiary from the United States to the court of Versailles, on the 14th of September, 1778, and the commission was dissolved. Mr Adams returned home. Mr Arthur Lee still held the appointment of commissioner to the court of Madrid, although he did not go a second time to Spain. He continued to reside in Paris, and to hold occasional correspondence with Count d'Aranda, the Spanish Ambassador; but as Spain manifested no disposition to enter into any direct intercourse with the United States, or to receive a minister, it was not in the power of the commissioner to render much service to the public in this station. Mr. Lee's appointment ceased, when Mr Jay was chosen minister plenipotentiary to Spain in September, 1779, and he returned to America in the summer of the next year. He was soon afterwards chosen a delegate in Congress from Virginia.

We have thus traced a brief outline of the prominent incidents in the diplomatic history of the United States, during the first two or three years of the war. It has been seen, that Mr Arthur Lee took a distinguished part in these transactions, and, after what has been said, it hardly needs be added, that he was active, zealous, faithful, and persevering in the discharge of his duties, and in promoting on all occasions the noble cause of his country. He was a sincere and ardent patriot, true to his principles, fearless in avowing them, and indefatigable in his efforts to diffuse and impress their influence. Endowed with talents much above the common order, his attainments were various and extensive, not more in the sciences, to which his inclination led him, than in classical and general literature; and he possessed a remarkable facility of bringing

his mind to bear with energy and alertness on a definite subject. We could wish that the catalogue of his characteristic traits might end here, but there are others equally marked, which are too conspicuous to escape unobserved, and were too extraordinary in their tendencies and effects to be passed over without notice or animadversion. But before we proceed further, we shall stop to point out a few errors of some importance into which our author has been drawn in his Memoir of Arthur Lee.

In speaking of Mr Lee's early services, as agent for the Committee of Secret Correspondence, he writes as follows ;

‘In the *winter* of 1776, Mr Lee repaired to Paris by the direction of the secret committee of Congress (to which committee that body had intrusted all its business with foreign agents and foreign courts), as their secret agent, to improve the favorable disposition of France towards the colonies. In this capacity he was received, and was kindly and respectfully treated by Count Vergennes. The reader can well imagine with what earnestness and ability he availed himself of the opportunity now afforded him of placing the situation, character, and concerns of his country in favorable and interesting views before the mind of Vergennes. Mr Lee did not confine his exertions to the French ministry alone, but labored to produce the same sentiments in the minds of distinguished and influential men in France who held no official stations, and to awaken a feeling of good will towards America in the French nation. To enable him to do this, he obtained the acquaintance of the class of men just alluded to, and wrote short and popular pieces in the journals of the day calculated to inform the public mind of the amount of the population of the colonies, the products of their country, and the commercial advantages they held out to France. There were at this time in France many men who had great influence on public opinion, though they held no offices under the government, and took little part in what might be termed practical politics. They obtained this influence from the fame of their learning and from their political writings. To them Mr Lee found an easy access ; and his literary and scientific acquirements proved of essential advantage (as well as a source of enjoyment in his intercourse with them) in gaining their attention to the affairs of America. Among these persons the celebrated Turgot held a conspicuous place. Mr Lee cultivated his acquaintance, and presented to his enthusiastic mind the character of his countrymen as a brave people, warmly and obstinately attached to freedom ; and, to his judgment, the policy of France in assisting them in wresting from England their political independence. Impressed by the

forcible representation of Mr Lee, the Count de Vergennes, in the spring of '76, presented to the King a memorial on American affairs, accompanied with reflections of Turgot on the subject of it. The policy advised by this memorial, and enforced by the reflections of M. Turgot, was, "to facilitate to the colonists the means of procuring in the way of commerce the articles and even the money which they needed; but without departing from neutrality, and without giving them direct succors." This aid, even thus furnished, was as much as Mr Lee could anticipate at this time.

'To carry into effect this plan of assisting the Americans, Vergennes directed the same secret agent whom he had sent to London in December, '75, to wait on Mr Lee, and inform him of the views and determination of the French court respecting America. Mr Lee transmitted this highly important intelligence to the secret committee, through the same gentleman to whom he had communicated the message of Vergennes delivered to him in London in the preceding fall.' Vol. I. pp. 55, 56.

'From the spring of the year 1776 until the fall of it, Mr Lee remained in Paris as a secret agent of Congress. He then returned to England, and resided in London until the month of December, when, having received an official notification of his appointment as a commissioner to France, he repaired again to Paris. His conduct in the capacity of a secret agent in France had given great satisfaction to that body. He did not confine himself within the exact line of his instructions as agent to the French court. He sought and improved the acquaintance of the ambassadors of the different powers then in Paris; and by turning their attention to the struggle of the British colonies in North America, and by giving them correct information concerning their affairs, he inspired them with respect and interest for his country. He particularly sought to engage the consideration of the Spanish ambassador, and through him, of his court. He had so far succeeded in gaining the serious attention of the Spanish minister before the arrival of the commissioners from America, and before the appointment of a representative to the court of Spain, that he had actually proposed to that court to join France in secretly aiding the United States with money, arms, and other warlike stores.' pp. 58, 59.

When it is known, that Mr Lee did not go at all to Paris by order of the committee, or as a secret agent, the whole of these paragraphs will of course be ranked among the gratuitous links in the chain of history. Early in August, 1776, Mr Lee, then in London, wrote to Mr Deane in Paris, that he intended shortly to visit that city upon business, which he did not define. Accordingly we find Mr Deane writing to the Count de Ver-

gennes on the 22d of August, as follows; 'I was this morning informed of the arrival of Mr Arthur Lee, and that he would be in Paris to-morrow. This was surprising to me, as I knew of no particular affair that might bring him here.' Mr Lee stayed but a very short time, for in four weeks afterwards he was again in London, where he remained till he received his appointment as one of the commissioners, about the middle of December. It does not appear that he had any intercourse with the ministers of government, or any public functionaries in Paris. He met Beaumarchais, but he did nothing in regard to the aids which were to be remitted to America, as proposed by the former at their interviews in London, not, as our author says, 'in the preceding fall,' but in the preceding April. Mr Lee wrote to Congress, in his first letter after receiving his commission, that 'this business was settled with Mr Deane, whom M. de Beaumarchais found here upon his return from London, and with whom, therefore, all the arrangements were afterwards made.' Hence, Mr Lee's residence in Paris, so far from being continued from the winter to the succeeding autumn, as intimated in the above extracts, was no more than a transient visit of a few days in the month of August, during which he neither exercised nor assumed a public agency of any sort. If he made any other visit to Paris within the time here specified, of which no evidence appears, it must have been very short and unimportant in its consequences.

The above descriptions, therefore, of Mr Lee's earnestness and ability in representing the concerns of his country to the French government, his attempts to enlighten the men of influence in France, and his remarkable success with the Spanish ambassador, are to be considered rather in the light of ornaments to the drapery of history, than as making a substantial part of the warp and woof of the material itself. It would seem, from the above narrative, that Mr Lee's 'forcible representation' was the means of drawing from the Count de Vergennes a memorial to the King, which has become known through the reply of Turgot. And what is still more strange, Vergennes and Turgot are here made to harmonize in their views of the subject, whereas Turgot was strenuously opposed to the separation of the colonies from England, a policy supported by Vergennes with all his address and strength.* Turgot was willing that

* At the beginning of his memoir, Turgot says, 'It appears to me a most desirable event for the interest of the two crowns, that England

commercial facilities should be afforded to the Americans, by which they might supply themselves with the means of defence, on the ground merely that this would enable them to keep England so occupied for the present, that she could not think of a war with France, and thereby allow this latter power time to prepare for the war, which all parties saw approaching. Indeed, if Mr Lee had been in Paris, as is supposed, his agency could have produced little effect in this business, which had been elucidated by numerous papers, fully discussed in the cabinet, and finally settled by a majority, some months before the date of this memorial of Vergennes, which, by the way, was never published, and of which nothing is known except what is learned in the fragments of Turgot's paper, that have been brought to light by M. de Ségur.

In speaking of the appointment of the commissioners to France, the author observes, 'Mr Lee was selected, with Silas Deane, as one of the joint commission to the court of France, with whom Dr Franklin was *afterwards* joined.' We presume every reader would understand by this, that Mr Lee was the first chosen, and that Franklin was added to the commission at a later date. But the truth is, that when the ballots were taken, Franklin, Deane, and Jefferson were chosen, and in the order of the names as here written. Jefferson declined the appointment, and *four weeks afterwards* Congress proceeded to fill up the vacancy, and chose Arthur Lee.

Again, the author writes in reference to Mr Lee's visit to Spain;

'Mr Lee was at length permitted to proceed, as it has been mentioned, to Madrid. He there exerted all the efforts which skill and ingenuity could suggest to induce the Spanish court to engage in our cause. The views of its policy, however, led that court to pursue a course of great caution and secrecy. The commissioner was assured of the good will of the King and nation, and

should surmount the resistance of her colonies, and force them to submit to her yoke, because, if the colonies can be subjugated only by the ruin of all their resources, England would lose the advantages which she has hitherto derived from them, whether in peace by the increase of her commerce, or in war by the use she is enabled to make of their forces. If, on the contrary, the vanquished colonies should preserve their riches and their population, they will likewise preserve their courage and their desire of independence, and compel England to employ a part of her force in preventing them from rising anew.' *Politique des Cabinets de l'Europe*, Vol. III. p. 160.

partial and ambiguous promises were made of joining France in giving the United States aids of money and arms. He was permitted to make contracts for warlike stores with Spanish merchants.' Vol. 1. pp. 84, 85.

'The residence of Mr Lee at Madrid, though it resulted in no open or definite assistance, was not, however, unattended with essential service to the United States. He gave the ministry and public men of Spain accurate information of the character, condition, and prospects of the American people, which produced respect and cordiality for them. He brought back to Paris evidences of this result, and procured such instructions from the court of Spain to its minister at Paris, as kept up a close and intimate intercourse between him and Mr Lee, and finally enabled him to succeed in obtaining a large loan from the Spanish government.' p. 85.

Now as Mr Lee *did not go to Madrid at all*, nor spend any time in the Spanish dominions, except about twenty days in a secret manner at Burgos and Vittoria, as recounted above, these paragraphs must also be ranked among the apocryphal elements of history. Nor did Mr Lee's visit result in 'no definite assistance' and 'partial and ambiguous promises' from Spain. On the contrary, he obtained a positive gift of three hundred and seventy-five thousand livres, and supplies of soldiers' clothing and other articles sent to the United States. In regard to 'a large loan from the Spanish government,' no such thing was obtained by Mr Lee or any one else.

'The kindly sentiments of the people and government [of Holland] towards the United States had induced Congress to appoint an agent at the Hague. Mr William Lee, a brother of Arthur Lee, had for some time past acted in the capacity of commercial agent of the United States at that place.' Vol. 1. p. 137.

'In the spring of 1777, Mr William Lee, who was then acting as agent of Congress in Holland, was appointed commissioner to the court of Berlin. As our commercial and financial concerns with Holland were of great importance and magnitude, Mr Lee consulted the commissioners at Paris on the propriety of his remaining in Holland, and proposed that one of them should repair to Berlin in his stead. Upon consideration it was determined that the interests of the United States required Mr William Lee to remain in Holland, while it was equally apparent that they required some immediate correspondence with Prussia. Without waiting to consult Congress (for at this time many months elapsed before they could receive answers to their communications from America), and relying on its acquiescence, it was resolved that Arthur Lee

should repair to Berlin in the room of his brother, and carry with him the commission and instructions intended for him.' Vol. 1. pp. 85, 86.

'He succeeded in obtaining from Frederic an assurance that he would afford no facilities to Great Britain in procuring additional German auxiliaries, and that he would prohibit the passage through any part of his dominions of any troops, which that court should hereafter engage in Germany. He obtained also permission for the citizens of the United States to carry on a direct commerce with the subjects of Prussia; and for himself to purchase, for the use of the United States, arms at the armories from which the King supplied his armies.' Vol. 1. p. 98.

'The principal exertions and labors of Mr Lee during the years 1778 and 1779 were required by his office, and were devoted to his duties of sole commissioner to the court of Spain, and of the acting commissioner to that of Prussia. During this period he aided his brother, William Lee, in his negotiations with Holland.'

'After having obtained loans and warlike supplies from the courts of Spain and Holland, and permission to purchase arms from the Prussian armories, he encountered many difficulties, and suffered vast trouble in the selections of the articles, in the necessary arrangements with the merchants, and in the making of arrangements with the subordinate agents and ministers of the several governments, as to the mode of insuring and shipping them.' Vol. 1. p. 150.

'He obtained in times of urgent need loans from Spain and Holland, and military supplies from Prussia, on advantageous terms.' p. 151.

We have here a string of errors from beginning to end. Mr William Lee's commission was dated July 1st, and it did not reach Paris till the last of September, *several weeks after the return of Arthur Lee from Berlin*. And yet we are told, that 'he carried with him the commission and instructions intended for his brother.' Moreover, William Lee *never acted as an agent for Congress in Holland*, but he was a merchant and alderman in London till June, 1777, when he went over to France to superintend, in connexion with Mr Morris, the mercantile affairs of the United States at Nantes. Nor did he arrive in Paris from London till nearly a month after his brother's departure for Berlin. It has already been shown, that Mr Arthur Lee did not succeed in obtaining any 'assurance' whatever from Frederic or his minister, except an empty expression of good will, and a permission rather than a request, that Mr Lee

would inform the said minister from time to time how things advanced in America. As to the liberty of purchasing arms, and the 'military supplies from Prussia,' the account of the contract for the eight hundred defective fusils embraces all that is to be said on the subject. This purchase, the only one that was made, turned out to be far from 'advantageous.' We are told of a loan from Holland. No loan from Holland was obtained by any person while Mr Lee was in Europe, nor till after Mr Adams's appointment to that country. What is meant by Mr Lee's 'duties of acting commissioner to the court of Prussia,' we do not understand, since his brother held this commission till June, 1779, when it was withdrawn by Congress, and not renewed.

'The provisions of the 11th and 12th articles of the treaty of commerce with France present the subject of most interest in the history of our early negotiations with that country. The propositions of the French court, which constituted these articles, were at one time embodied in the treaty. France at this time possessed the principal islands in the West Indies, which yielded the greatest supply of molasses. It was proposed to our commissioners, that the United States should exempt from any tax or impost all merchandise exported from the United States to the French islands yielding molasses, by French subjects, while France should exempt from all duty the molasses exported from her islands to the United States by their citizens.' Vol. 1. p. 124.

'As the French ministry seemed desirous to retain these articles, and as Mr Lee's colleagues assented to them, he waived for a time his objections, and they were comprehended in the treaty.' pp. 125, 126.

From this statement it would seem as if these articles originated with the French negotiators. They are called 'the propositions of the French court,' but we have seen heretofore that the first article was sent out in the treaty prepared by Congress, and when it was *objected to* by the French minister, *our commissioners proposed* the other as an equivalent; so that they both originated on the American side of the question. Indeed, the French never liked the articles; they only insisted, that if the first were retained, the other must go with it. M. Gerard told Mr Lee, 'that there was no sort of desire in the court relative to the omission or continuance of those articles,' and 'that they were *assented to* from an opinion of its being a very desirable thing in America.' With these sentiments on

the part of the French ministry, it required but a moderate skill in diplomacy to draw from M. Gerard an expression of his belief, that they would be readily given up in France, if not approved by Congress.

Such are some of the mistakes, which have occurred to us in the perusal of the Memoir, but we should be sorry to have the whole work judged by these specimens of its defects. Some of these errors betray haste, and a want of minute research, but no one who reads the book can suspect for a moment, that the author has in any instance designed to mislead, or been influenced by any other motives, than a desire of doing justice to the character of Mr Lee, by what he considered a fair and full exposition of the important events of his life. He seems not to have perused with sufficient attention Mr Lee's official correspondence. We think his public services rated much too high by his biographer. After conceding in the fullest and most unequivocal terms Mr Lee's activity, zeal, and fidelity, his genuine love of country, and conscientious discharge of duty, we really do not discover anything in the results of his labors, which should give him extraordinary claims to the admiration or gratitude of his countrymen. He was a patriot, and deserves a patriot's praise; like his associates in the times of trial and peril, he sustained himself manfully and truly; but it was his misfortune to defeat in one way the good effects of the purposes, which he strove to execute in another. The same constitution of mind, which prompted his ardor and energy, too often hurried him into the extremes of irritability and passion. Sanguine in temperament, credulous, hasty in action, he yielded with a weakness altogether unpardonable to the corroding influences of suspicion, jealousy, and distrust. This habitude of mind, which seemed an inherent quality, drew him into endless disputes and difficulties. He describes himself very truly when he says, 'Unhappily my fate has thrown me into public life, and the impatience of my nature makes me embark in it with an impetuosity and imprudence, which increase the evils to which it is necessarily subject.' Aversions, discords, enmities grew up and thickened around him as he advanced in his public career, which, at the same time they annoyed his own peace, fed the flame of party already but too rife in our national councils, and helped to open breaches and perpetuate divisions, which operated with

a pernicious tendency to the end of the war. These effects of the infirmities of Mr Lee's temper on the public interests and transactions of the time, make it necessary to touch upon incidents, which might otherwise perhaps be passed over, without essential detriment to the claims of justice, the cause of impartial history, or the honor of human nature.

No one who examines the subject can doubt, that Mr Lee's quarrels with Deane, his hostility to Franklin, and his disputes with everybody, a select few only excepted, were the primary causes of the warm altercations and endless perplexities, which distracted the deliberations of Congress on foreign affairs during two or three years of the most anxious period of the revolution, till Congress by a large majority passed a resolve, which certainly does not adorn the brightest page of their journals, 'that suspicions and animosities have arisen, among the late and present commissioners, highly prejudicial to the honor and interest of the United States.' It would be hard to put all this to Mr Lee's account, nor do we intend it; but we do say, that he was the primary and most efficient actor in a train of events, which produced these consequences.

The warfare commenced at an early date between Lee and Deane, and the first spark of the kindling flame was a spark of jealousy. Our readers will remember the interview between Mr Lee and Beaumarchais in London, and the plan concerted between them for sending two hundred thousand pounds sterling to the aid of the colonies. When Beaumarchais left London, Mr Lee seemed to consider this plan as matured, and that it would be executed in conformity with their arrangements. He gave notice accordingly to the Committee of Secret Correspondence, and letters passed between him and Beaumarchais on the subject. While the affair was in this favorable train, as he supposed, Deane arrived in Paris; and Beaumarchais, abandoning his first project, made new arrangements with this agent, and prepared to send the supplies through channels quite different from those heretofore suggested. By this scheme, also, Mr Lee's agency was entirely dispensed with. This turn of the business was not relished by Lee, since it deprived him of the merit and honor of being the medium through which supplies so bountiful and seasonable were transmitted to his country, and of the estimation which such an event would procure for him in the eyes of

Congress. He hastened over to Paris, and from the extract of a letter to Count de Vergennes, which we have already quoted, we learn the humor in which Deane was disposed to receive him. As Deane had been led into the engagements with Beaumarchais at the solicitation of this gentleman, without knowing what had been done in London, he looked upon Lee's interference as officious, and was evidently not in a mood to receive or treat him with much cordiality. At all events, their interviews in Paris produced anything but friendship, and Mr Lee returned to London without effecting any change in the scheme, which had been agreed upon between Beaumarchais and Deane. Thus were sown the first seeds of discord, which afterwards attained so rank a growth among the agents of the United States abroad and their friends at home.

About three months afterwards Mr Lee went back to Paris, and joined Franklin and Deane as one of the three commissioners from Congress. Nothing had occurred in the interim to subdue or quell the feud, that had previously begun; and it was now increased by the circumstances of the moment. Just at this time Beaumarchais was in great embarrassment, on account of the obstacles thrown in his way by the government to prevent his shipping the articles, which he had got in readiness, and for the transportation of which vessels had been chartered, and were retained at a large expense. Mr Lee showed no sympathy with Deane on this occasion, and perhaps it was natural enough, as things had turned out, that he should be quite willing to let the responsibility and vexation of the enterprise rest on his colleague, who was to share all the honor of its success. Nor does it appear, that Deane had any unwillingness to endure the one for the sake of the other. Hence each had his consolation in his own way, but drawn from sources so widely asunder, as to afford but a discouraging prospect of a speedy union of sentiment or feeling between these two rival commissioners.

At length Mr Lee went to Spain, and Franklin and Deane remained in charge of affairs at Paris. As the mercantile transactions had been in the hands of Deane from the beginning, and as he was the only commissioner acquainted with them in detail, he was still considered as the fittest of the three to have a chief control over this department. Franklin made

no pretension to a knowledge of mercantile matters, and Mr Lee's habits had been as little in this line as his own, whereas Deane was a practical merchant. By reason of Mr Lee's visits to Spain and Prussia he was absent from Paris a large portion of the time, during the first seven months after the meeting of the commissioners. It is impossible, therefore, that he should be well versed in their proceedings, or know the reasons and motives by which his colleagues were guided in any particular act or determination; and more especially as he and Mr Deane had been on such terms from the outset, as to forbid any explanatory intercommunications of this sort between them.

Another ingredient in the cup of calamity Mr Lee found, or imagined he found, on his return from Prussia. Mr Deane's visits to Versailles were frequent, which indicated that he was well received by the ministers; his residence in Paris had procured him many acquaintances among persons of eminence, which brought him into notice, and gave him consequence; his mercantile transactions had connected him with persons of business, and opened a wide field of correspondence, which also contributed to his importance. Mr Lee was comparatively a stranger, and had none of these advantages; and what probably was keenly felt by a temper so sensitive as his, Deane made it no point of delicacy to place himself on as high a pedestal as his good fortune enabled him to mount, leaving his less favored colleague to stand in such a niche as he could find at hand. No courtesy or good will was lost on either side. Deane was by nature formal, cold, slow, and fond of parade; Lee was ardent, rapid, eager, and regardless of forms where he could come quickly to the reality and the substance. It is obvious, that there could be no commingling of such principles as these, and the more closely they were brought in contact, the greater would be the strife of the discordant elements.

It was now, that the characteristic foible of Mr Lee began to show itself. He conceived the notion, that all the friends of Deane must be his enemies. Then came over his mind strange visions of plots, and intrigues, and combinations formed to mar his peace, defame his character, and injure his reputation. He believed it was a part of the business of this knot of adversaries to write paragraphs to his discredit, and pro-

cure their insertion in the European gazettes, and to take care that they were repeated in the American papers. He conceived them to be busy, also, in writing letters of the same purport, and thus to be infusing a poison, not only into the public mind, but into the mind of individuals whose good opinion was important to his fame and his success. At the head of this formidable league, in his imagination, was placed Mr Deane, by whose arts and machinations it had been brought into being while he was absent in Prussia.

In this state of mind Mr Lee began to write, in an extraordinary manner, to his friends in America about Mr Deane. The following extracts are from a letter to his brother, Richard Henry Lee, then a member of Congress, and dated nine days after the signature of the treaty. ‘My absence, and the care with which things have been concealed from me, have disqualified me to judge of the truth of the suspicions, *which are general, of Deane’s having had doceurs from the public contractors and others*, in order to conciliate his patronage ; and that he is in a sort of partnership with Holker, Sabatier, Monthieu, and others, *in which the public money and influence are made subservient to private profit.*’ Again, ‘Whenever he is removed from the command of money, the truth will come out fast enough, *and the persons who, under his auspices, have been defrauding the public*, may be brought to account. Upon the whole, these are dangerous men, and capable of any wickedness to avenge themselves on those, who are suspected of counteracting their purposes.’ ‘The calling for an account of the money we have expended, the taking of the expenditure out of our hands for the future, *or the removal of him who has misapplied it*, would lead to discoveries and proofs before time has enabled him to prevent them.’ Now we ask, if there could be anything more outrageous, or more at variance with the moral proprieties of conduct, than such an attack as this upon the character of a colleague in office, concerning whose affairs the accuser did not pretend to know anything with certainty, but against whom he utters insinuations so positive and circumstantial, as to give the worst impression, and thus secretly to fix a stigma on his reputation? If Mr Lee believed these charges to be correct, it was his duty to search for the proofs, and above all was it his duty to keep his suspicions within his own bosom, till he could send them out with

facts, that should make them as clear as the light of day. And more than this, every principle of honor and justice would require him at the same time to exhibit the charges to the accused person himself, and give him an opportunity of explanation and defence. A charge without proof is a calumny; and there certainly cannot be a more unworthy act, to say nothing of its criminality, than a secret and insidious attempt to wound the reputation of another, with whom the accuser is in habits of daily intercourse, and associated in the discharge of duties implying mutual confidence and responsibility. It was this practice, which we consider the great fault of Mr Lee's character, and to this we alluded, when we said that he was a primary cause of the divisions and contests in Congress. He was in the habit of writing to the members against several persons, and in a similar strain to that of these extracts, and frequently with a much greater latitude of censure. His letters were of course shown to the friends of his correspondents, and their tendency could not but be mischievous in the highest degree. Those, who were not convinced, would have their confidence shaken by such bold insinuations, and think it impossible that there should not be something more in them, than the workings of a fervent imagination, or the illusions of a jealous spirit. In the above extracts we see how little caution was used in the mention of individuals, for we there have the names of three eminent French merchants, linked with that of Mr Deane in a league of fraud upon the public funds.

At length Deane, being recalled, returned to the United States, made various communications to Congress, and was admitted personally at the bar of the House, where he gave a detailed narrative of his transactions in Europe. Meantime Mr Lee continued to repeat the same vague charges, and among other things wrote to Congress, that, after examining Mr Deane's accounts, he had ascertained 'that millions had been expended, and almost everything remained to be paid for,' but he preferred no specific accusation, nor forwarded any proofs. Mr Deane and his friends were highly indignant at this mode of attack, and Congress gave him copies of Lee's letters. To these he replied, and of course Mr Lee was furnished with copies of the replies; and then came his rejoinders. During these epistolary skirmishes, Congress delayed to decide on Deane's affairs, although he pressed them with much earnestness either to pass a vote of approbation or censure on his conduct, and bring the matter as soon as possible to a close.

Wearied by this delay, and apparently irritated by the part that had been taken by Mr Lee to injure his character, he published his famous Address to the People, in the *Pennsylvania Gazette* of the fifth of December, 1778. This paper was in the strongest and worst spirit of retaliation upon Arthur Lee and his brothers, whom he calls 'his personal and lately his avowed enemies,' and concerning whom he speaks in a tone of subdued but pointed obloquy, as insidious as it is re-criminatory. He reiterates and endeavors to substantiate a report, that Arthur Lee had been suspected of an undue attachment to England, and of an unwarrantable correspondence with the enemies of his country. Considering the early, the unceasing, the inflexible patriotism of Arthur Lee, of which the proofs were almost as numerous as his acts or his words, it would seem hardly possible that Deane himself could have credited such a slander, notwithstanding this bold step of giving currency to its circulation by the sanction of his name. It is not surprising that from this date the warfare became open, violent, and unrelenting, and that the friends of the parties in Congress should enter into the contest with an asperity, little consistent with the dignity, moderation, and impartiality that ought to prevail in all deliberative assemblies. Deane remained nearly a year longer in Philadelphia, soliciting a formal and final resolve of Congress respecting his public conduct. This however was never made, but a vote was passed granting him ten thousand five hundred dollars, in consideration of his time and expenses in his attendance on Congress. A draft on the treasury for this amount was sent to him; but he returned it to the President of Congress, with a respectful letter, stating that it was inadequate to his actual expenses and trouble in the service of Congress, that he preferred to return it, trusting that when his accounts were settled he should make it appear, that his services in France had been of much greater importance than Congress seemed then aware, and that he would refer to that time any further discussion of the proper amount of his recompense. Nothing was ever paid to him, however, nor do we know whether his heirs have ever claimed of Congress this sum of ten thousand five hundred dollars, which would seem to have been their due after his death.

We have never seen any proof of the charge, which Mr Lee takes great pains to fix on Mr Deane, that he employed the public money for the advancement of his private interest.

On the contrary, all probability and well established facts are against it. He declared solemnly to Congress, that he had not even invested any of his own funds in any shipments, except to a small amount in two instances. One of these investments was captured by the enemy, and the other was for the use of his family, and passed through the hands of Robert Morris, at that time a member of the Committee of Secret Correspondence, by whom Deane was sent abroad. Moreover, his acceptance of this appointment was not understood at the time to deprive him of the privilege of acting in the capacity of a private merchant, and although prudence might dictate such a course, yet neither duty nor his engagements with the Committee imposed on him any such obligation. Mr Lee, in writing to Theoderic Bland, says, 'Mr Deane is generally understood to have made *sixty thousand pounds sterling* while he was employed here.' This is another of those vague and unwarrantable charges, without proof or specification, lurking under the convenient and treacherous gloss,—'*is generally understood.*' What is the truth? Deane went to France with money of his own in his pocket; how much, we cannot say, but he had something. He stayed there a year and eight months, and then returned to Philadelphia, where he remained eighteen months longer attending on Congress. During this latter period, he certainly could have disposed of money for no other purpose than his expenses, for he was engaged in no business whatever. It follows, that this great sum of sixty thousand pounds, or more than two hundred and fifty thousand dollars, must have been still in Europe. Neither he nor his family were known to have it in this country. It must have been somewhere, if it ever existed; but there is absolute proof, that he returned to Paris in beggary. We have ourselves seen positive written testimony, that he subsisted there for several months on the bounty of strangers. Is it credible, that he had accumulated money, which he now hoarded, while drawing a bare support from a source, which deserved no other name than charity? He affirmed to the last, that he had just demands on Congress to the amount of more than thirty-five thousand dollars for his time and disbursements of various kinds in France, besides another large amount, which, according to the usages in mercantile transactions of this sort, he said was his due as a commission on the purchases he had made. But as his accounts went unsettled, owing apparently as much to his own fault and

negligence, as to any other cause, his claims were never recognised nor allowed.

It is not easy at the present day to form a correct estimate of the conduct and services of Silas Deane, during his public agency in France. His lamentable, or more properly disgraceful desertion of his country's cause at a later period, and the pains he took to depreciate her interests, fix on him such marks of treacherous aims, as to obscure and almost conceal the virtue of his previous acts, whatever merit they may have in reality possessed. Yet it must be conceded in his defence, that he was treated with unmeasured abuse, neglected, if not essentially wronged by Congress, and reproached with possessing vast treasures amassed by the artifices of fraud, while he was actually suffering under the severe inflictions of poverty. All this affords no apology for his deplorable, not to say criminal defection, but it is a reason why justice should be rendered to him as far as it is his due. Mr Adams, who was his successor in France, thus writes, soon after his arrival, to a friend in Congress. 'I have heard a great deal in this country concerning Mr Deane's conduct; great panegyrics and hard censures. But I believe he has neither the extravagant merit, that some persons ascribe to him, nor the gross faults to answer for, which some others impute or suspect. I believe he was a diligent servant of the public, and rendered it essential service.' This seems to us as fair a judgment as can be formed, for there is good evidence, that it was written with a competent knowledge of the subject, and without predilection or partiality.

We intended here to go at some length into the causes, progress, and effects of Mr Lee's hostility to his other colleague, Dr Franklin, but our remarks have already been drawn out to such an extent, that we can claim but little space for this topic. We must say, however, that we are not at all satisfied with the account which our author gives of the matter. He very good naturedly ascribes the whole to the easy temper, confiding disposition, indolence, age, and, we may almost say, imbecility of Franklin. According to him, Mr Lee took it specially upon himself to detect defaulters, to expose the faithlessness of public contractors, and bring their conduct openly and fearlessly to light. In this ungracious task, to which he was impelled by his deep sense of duty, he made discoveries in the transactions of some of Franklin's friends, which the philosopher's impaired vision was not acute enough to perceive, and

which he would fain look upon as ‘the suspicions of a petulant and unamiable temper.’ Hence he began to lose his confidence in Mr Lee’s judgment, and to lend to him a doubting ear, and incline himself to those, ‘whose object and policy induced them to wish to avoid the control of his energetic colleague.’ He did not like to be worried with this activity and vigilance, but loved to see things go on calmly, and to seek contentment in tranquillity. ‘His kind and unsuspecting disposition was imposed upon and deceived. He became cold and distant in his manners towards Mr Lee, and gave a degree of countenance to defaulting agents, which proved injurious to the public interests.’ In other words, Dr Franklin, good easy man, was a dupe to the roguery and tricks of a set of sharpers, that hovered around him under the name of public contractors, and allowed himself to be cajoled and deceived, not only out of his common sense, but out of his common honesty and fidelity to his trust; while his astute, shrewd, keensighted, fearless, and ever active colleague penetrated all the mysteries of iniquity practised by these rapacious contractors, and drew them into the open day, much to their shame and discomfiture. Hence the enmity that sprang up between these two commissioners.

Now we are constrained to say, that we have no points of accordance with the author in this view of the question. In the first place, we have not the least faith in Mr Lee’s superior ability or success in discovering frauds, over those of his colleague. Dr Franklin’s age and infirmities did not disable him from conducting triumphantly for almost nine years, a series of perplexing and complicated public duties, and some of the most important negotiations, which have ever been accomplished by any minister. Whoever will read his correspondence, while in France, will not accuse him of want of vigilance or activity in all things where his duty required them, nor of a disposition to let fraudulent contractors escape with impunity. The truth of the business is simply this. As Mr Lee was absent a large portion of the time when the contracts were made, he was not accessory to them, and in most cases not acquainted with the persons. These contracts were also chiefly made by Mr Deane, in whose hands the mercantile affairs were left. From the specimens we have already given of the temperament of Mr Lee, and the terms on which he stood with Mr Deane, we believe our readers will allow, that it must in the

nature of things have been extremely difficult for Mr Lee to persuade himself, that Deane could make a fair contract or deal with an honest man. The consequence was, that when Deane returned to America, and the accounts of these contractors were left to be settled by the other commissioners, Mr Lee's suspicions were awake, and manifested in so broad a manner, as soon to give offence to the persons with whom he was attempting to adjust their concerns. To show that you suspect a man's honesty is not the readiest way to conciliate his good will, or make him accommodating to your wishes. So it was in this case. The contractors were displeased with Mr Lee's mode of treating them, and avoided him as much as they could. This shyness Mr Lee construed into an evidence of fraud, or a faithless performance of duty. They sought refuge in the good nature of Dr Franklin, but here they found little consolation, for he did not pretend to settle their accounts, and could only sympathize in their perplexities. Indeed, this only added fuel to the flame, for Mr Lee's suspicions were doubly wakeful when his colleague was in any way concerned. This is our view of his activity in detecting frauds, and of its consequences.

It seems to us, that there is another and much deeper cause of the settled enmity of Mr Lee to Dr Franklin, which he never pretended to conceal in conversation, or in writing to his friends, after he had been a few months in Paris. It is well known, that all his interest, and that of his friends in Congress, were used to procure Dr Franklin's recall from France, with the view of securing Mr Lee's appointment in his stead. His letters were filled with censures of Franklin's conduct, boldly affirming his unfitness for such a station, and at all events recommending, that, if it was impossible to effect his recall, he should be sent to an interior government, where he could do neither harm nor good. A few paragraphs from Mr Lee's letters will set this subject in a clearer light. To Samuel Adams he writes, on the fourth of October, 1777; 'I have within this year been at the several courts of Spain, Vienna, and Berlin, and I find this of France is *the great wheel that moves them all*. Here therefore the most activity is requisite, and if it should ever be a question in Congress about my destination, *I should be much obliged to you for remembering, that I should prefer being at the court of France.*' Vol. II. p. 113. Again, on the same day he writes to his brother, Richard Hen-

ry Lee, then in Congress ; ‘ My idea of adapting characters and places is this ; *Dr Franklin to Vienna, as the first, most respectable, and quiet* ; Mr Deane to Holland ; and the Alderman (William Lee) to Berlin, as the commercial department ; Mr Izard where he is ; Mr Jennings at Madrid, his reserve and circumspection being excellently adapted to that court. France remains the centre of political activity, and *here therefore I should choose to be employed.*’ p. 115. Again to Richard Henry Lee ; ‘ Things go on worse and worse every day among ourselves, and my situation is more painful. I see in every department neglect, dissipation, and private schemes. Being in trust here I am responsible for what I cannot prevent, and these very men will probably be the instruments of having me called to an account one day for their misdeeds. There is but *one way* of redressing this and remedying the public evil ; that is, the plan I before sent you, of appointing the Doctor, *honoris causâ*, to Vienna ; Mr. Deane to Holland ; Mr Jennings to Madrid ; *and leaving me here.* In that case I should have it in my power to call those to an account, through whose hands I know the public money has passed, and which will either never be accounted for, or misaccounted for by connivance of those who are to share in the public plunder.’ p. 127. Here truly is a most persuasive argument for Congress to make Mr Lee minister to France. What a frightful picture is here drawn of the mismanagement, disorders, and distracted condition of the American affairs at that court, and what deplorable consequences must ensue, unless that ‘ *one way* ’ is resorted to, of sending Dr Franklin to the capital of Austria, and setting Mr Lee to turn the ‘ *great wheel* ’ at Paris, by the magical movements of which, under his control, an infallible remedy will be applied, and a radical reform suddenly effected.

In another letter to Samuel Adams, the same alluring prospect is again held out, on the easy conditions only of the same arrangement. ‘ If Mr Lloyd is appointed agent, *Dr Franklin sent to Vienna*, Mr Deane to Holland, *and I am left here*, we shall all act in concert ; and not only have a full inquiry made into the expenditure of the public money, but establish that order, decency, and regularity, which are lately banished from the public business at present, so as to involve us in continual confusion and expense.’ p. 137. Here we have the same modesty in the proposal, and the same temptation to comply

with it. But we shall not tax our readers with remarks on these extracts. Their language and their purpose are but too plain. We need not even ask whether a man, with such designs in his head, is to be credited for immaculate disinterestedness in representing the disabilities or disqualifications of a public officer, whom he is thus covertly attempting to undermine and supersede. Nor need we ask whether the vague charges of a man under such a bias, unless accompanied with proofs bearing the marks of truth as if written with a sunbeam, ought to weigh with a considerate mind more than a feather or a straw. Mr Lee abounds with charges, but seldom with facts to support them. In the above extracts, for instance, he charges *somebody* with neglect of duty, dissipation, private schemes, misdeeds, public plunder, and other heinous misdemeanors. But *who is it?* That is a secret which he keeps to himself. Where were these acts committed, when, how, and for what end? This is all a secret, and you are left to conjecture, suspect, and wonder. The only thing of which you are made positively certain is, that, if Dr Franklin can be got off to the quiet retreat of Vienna, and Mr Lee is left to control affairs in the bustling world of Paris, all disorders will cease, and a new era will commence in the young annals of American diplomacy.

We are far from wishing to screen Dr Franklin from any just imputation, that may rest against him in regard to these differences with his colleagues. It is not pretended that he was without fault, or that he gave no provocation for occasional dissatisfaction and ill feeling. But we do maintain, that no shadow of reproach can be cast on his integrity, either in his political negotiations or his management of money concerns while in Europe. That he was always as judicious in contracts, and careful in expenditures as a practised economist or man of business might have been, we are not prepared to say; but that he acted honestly, uprightly, and for the best interests of his country to the full extent of his knowledge and judgment, we are as entirely convinced, as we are that these facts can be affirmed of any public minister, who has ever gone from the United States to Europe. His great fame and extraordinary character gained him much admiration and notice in France, and placed him in a sphere above his colleagues. As their powers in office were equal with his, it was natural that they should be annoyed by this marked distinction shown

to him, particularly when taken in connexion with his usual manners to them, which were evidently not the most conciliatory or courteous. He seemed willing to enjoy the meed of his fame, without giving himself much trouble or concern about the social rank or public estimation of his associates. This may be accounted for in some sort by his advanced age and bodily infirmities, his habits of reserve in conversation, and his cold and cautious temperament. But the cause, wherever it may be found, does not palliate the defect, and we are as little disposed to apologize for the one as to disavow the other.

One of the insinuations of Mr Lee, to the disparagement of Dr Franklin's integrity, was, that he showed a culpable indulgence to persons, who, he knew, or ought to have known, made a misuse of public money. It is implied that this was a mode to which he was not reluctant to resort for the purpose of gratifying his friends; in other words, that, in this respect, he was faithless to his public trust, and a tacit abettor of frauds and criminal extravagance. Without the least hesitation, we pronounce such an insinuation as indefensible as it is reproachful. The commissioners had appointed Mr Williams, a nephew of Dr Franklin, to be a temporary agent to transact commercial business at Nantes. Mr Lee had a sharp difference, or rather a quarrel, with Williams about his accounts. Dr Franklin did not enter into the quarrel, and hence he was accused of showing a reprehensible indulgence to his nephew in regard to the pecuniary concerns of his agency; or, in short, that he wished to keep him in a post where he could put money in his pocket at the expense of the public. But let us appeal to Dr Franklin's own words. When Mr William Lee (who was then the chief commercial agent at Nantes) was about going to Prussia, he proposed to appoint Mr Williams to be a permanent agent. Dr Franklin wrote to him in reply as follows; 'Your proposition about appointing agents in the ports shall be laid before the commissioners when they meet. In the mean time I can only say, that, as to my nephew, Mr Williams, though I have from long knowledge and experience of him a high opinion of his abilities, activity, and integrity, *I will have no hand in his appointment, or in approving it, not being desirous of his being in any way concerned in that business.*' And yet we are called on to believe, that his holding the appointment was a scheme of Dr Franklin's to give him a chance to grow rich out of the public money!

Again, he repeatedly urged Congress to relieve him from the burden of the mercantile business, in the management of which nearly all the expenditures of the money that passed through his hands were made. 'The trouble and vexation,' he says, 'which these maritime affairs give me, are inconceivable. I have often expressed to Congress my wish to be relieved from them, and that some person better acquainted with them, and better situated, might be appointed to manage them. Much money as well as time would, I am sure, be saved by such an appointment.' On several occasions he reiterated earnestly the same request; that is, he desired Congress to take out of his hands the very means, which his enemies have asserted him to have been eager in retaining, for the purpose of advancing his private ends at the expense of his integrity. These facts require no comment.

A rumor went abroad soon after Dr Franklin's return from Europe, that there was a deficiency of a million of livres on his part during his residence in France, which remained unaccounted for, and his enemies took care to represent, that he was a defaulter to this amount. Indeed, it appeared on the face of the banker's accounts, that both he and Dr Franklin had given credit for receiving a million of livres more than the amount of expenditures reported by them. That is, they had acknowledged the receipt of three millions from the French government, as a free gift, at the beginning of the mission, when only the two millions, which we have heretofore mentioned as having been paid by quarterly instalments, were accounted for. This fact was communicated to Franklin by the Secretary of Congress, and he was as much puzzled with it as the Secretary himself. He wrote to Mr Grand, the American banker in Paris, who had signed the receipt with him, asking for an explanation. Mr Grand was equally puzzled, and applied to M. Dureval, an officer in the treasury department of France. The reply was, that from the books of the office it appeared, that *three millions* had been paid as a free gift, but that the payment of the first million was dated June 10th, 1776, six months before Dr Franklin arrived in France, and nearly seven before Mr Grand became the American banker. It followed that neither of these gentlemen could be in any way implicated in the payment or expenditure. Count de Vergennes declined giving a copy of the receipt of this million, or the name of the person to whom it was paid, alleging this to be a

thing of no consequence, since the money was a gratuity, and nobody was held answerable for it. When Gouverneur Morris was minister in France from the United States several years afterwards, he procured a copy of the receipt from the public office, which showed the money to have been paid to Beaumarchais, and this is the remnant of the celebrated claim of that individual and his heirs, which has been before Congress in one shape or another for more than half a century. We do not profess to give a history of this transaction, but merely to state such results as prove with what extreme injustice any injurious reflections were cast upon Dr Franklin respecting it.

Lastly, it has been often said, and is sometimes repeated at this day, that Dr Franklin never settled his public accounts. In its spirit and purport this assertion is essentially false. Some months before Dr Franklin left France, Mr Barclay, the American Consul to that country, arrived there, with full power and authority from Congress to liquidate and settle the accounts of all persons in Europe, who had been intrusted with the expenditure of the public money of the United States. Under this authority he examined methodically the entire mass of Dr Franklin's accounts. The difference between the result of his investigation and the statement of Dr Franklin was seven sols, or about six cents, which by mistake the Doctor had overcharged. Mr Barclay was ready to close and finally settle the accounts, but, *at Dr Franklin's request*, they were kept open for the inspection of Congress, because he believed there were other charges, which Congress ought rightfully to pay, but which Mr Barclay did not feel authorized to allow. Soon after his return, he sent his accounts to Congress, with a request that they might be examined, and the separate charges considered. Congress delayed the examination, and a few months before his death, Franklin wrote to Congress on the subject, as follows; 'Reports have for some time past been circulated here, and propagated in the newspapers, that I am greatly indebted to the United States for large sums that had been put into my hands, and that I avoid a settlement. This, together with the little time one of my age may expect to live, makes it necessary for me to request earnestly, which I hereby do, that the Congress would be pleased, without further delay, to examine those accounts, and if they find therein any article or articles which they do not understand or approve, that they would cause me to be acquainted with the same, that I may

have an opportunity of offering such explanations or reasons in support of them as may be in my power, and then that the accounts may be finally closed.' Nothing more needs be added, we believe, to vindicate Dr Franklin from censure or suspicion in regard to this subject.

We might pursue these inquiries through all their ramifications, and we are confident that the result would in every instance contribute to exalt the character and brighten the fame of Franklin. Prejudice has done him a wrong, which time and truth will adjust. He was an early, a true, a steady, an enlightened friend to his country, and for half a century a most able and faithful defender of her liberties. The more his political principles, designs, and acts are scrutinized, the more they will be found to demand the admiration, the respect, and the gratitude of his countrymen.

ART. IX.—*Memoir, Correspondence, and Miscellanies, from the Papers of THOMAS JEFFERSON.* Edited by Thomas Jefferson Randolph. 4 vols. 8vo. Charlottesville. F. Carr & Co. 1829.

THE publication of this work has excited an uncommon degree of interest. Mr Jefferson was an active leader of public opinion, from his first appearance as a politician until the close of his political career, a period of forty years; and he continued to influence by his advice the course of public measures, long after he had withdrawn himself within the shade of private life. He has stood before two generations. The same political doctrines which he first espoused, he advocated with persevering consistency long after most of those who were his original adherents or opponents had disappeared from the world. He survived to review the judgment which had been passed upon him by one age, and these posthumous documents will establish the rank which he is to hold in the estimation of the present age and of posterity.

There are no subjects so attractive to our curiosity or our sympathy, as the fortunes and trials, the reflections and purposes of eminent men. We love to watch their movements, as they appear conspicuously on the public stage, whether at